



भारत का राजपत्र The Gazette of India

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नई दिल्ली, शनिवार, मार्च 9, 1996/फाल्गुन 19, 1917

No. 10]

NEW DELHI, SATURDAY, MARCH 9, 1996/PHALGUNA 19, 1917

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं।
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विविध न्याय और कम्पनी कार्य मंत्रालय
(विविध कार्य विभाग)
(न्यायिक अनुभाग)

सूचना

नई दिल्ली, 13 फरवरी, 1996

का.प्रा. 609 .—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री एन. सिद्धप्पा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बेल्लरी सिटी (कर्नाटक) में व्यवसाय करने के लिए नोटरी के रूप में निपुणता पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (47)/96—न्यायिक]

पी. सी. कण्णन्, सक्षम प्राधिकारी

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

(Judicial Section)

NOTICE

New Delhi, the 13th February, 1996

S.O. 609.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that

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application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. N. Siddappa, Advocate for appointment as a Notary to practise in Bellam City (Karnataka).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(47)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 13 फरवरी, 1996

का.प्रा. 610 .—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्रीमती रेखा जयन्तकुमार वासुबन्धु, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए किया है कि उसे ग्रहमदाबाद (गुजरात) में व्यवसाय करने के लिए नोटरी के रूप में निपुणता पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (46)/96—न्यायिक]

पी. सी. कण्णन्, सक्षम प्राधिकारी

NOTICE

New Delhi, the 13th February, 1996

S.O. 610.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Smt. Rekha Jayantakumar Visubandhu, Advocate for appointment as a Notary to practise in Ahmedabad (Gujarat).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(46)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 14 फरवरी, 1996

का.आ. 611.—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सुशील कुमार सिंह, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे कानपुर, कोट (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (50)/96-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 14th February, 1996

S.O. 611.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sushil Kumar Singh, Advocate for appointment as a Notary to practise in Kanpur Court (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(50)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 14 फरवरी, 1996

का.आ. 612.—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्रीमति बुलुदास, एडवोकेट ने उक्त प्राधिकारी को उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे हुगली जिला एवं कलकत्ता (पश्चिमी बंगाल) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(49)/96-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 14th February, 1996

S.O. 612.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Smt. Ritu Das, Advocate for appointment as a Notary to practise in Hooghly Distt. and Calcutta (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(49)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 14 फरवरी, 1996

का.आ. 613.—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री बुद्धारणु वेकटेश्वर राव, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे मृत्याला रेड्डी नगर, अमरावती रोड, गुन्टर (आंध्र प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(48)/96-न्यायिक]

पी. सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 14th February, 1996

S.O. 613.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Buddarapu Venkateswara Rao, Advocate for appointment as a Notary to practise in Mutyal Reddy Nagar Amravathi Road, Guntur. (Andhra Pradesh).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(48)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 15 फरवरी, 1996

का.आ. 614.—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रविन्द्र दत्तात्रेया रोव, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे पुणे (महाराष्ट्र) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(51)/96-न्यायिक]

पी० सी० कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 15th February, 1996

S.O. 614.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Ravindra Dattatraya Ronghe, Advocate for appointment as a Notary to practise in Pune (Maharashtra).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(51)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 16 फरवरी, 1996

का.आ. 615—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री गुलशन बीर सिंह मांढी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे केन्द्र शासित क्षेत्र चण्डीगढ़ में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (55)/96—न्यायिक]

पी. सी. कण्णन्, सक्षम प्राधिकारी

NOTICE

New Delhi, the 16th February, 1996

S.O. 615.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Gulshan Beer Singh Sodhy, Advocate for appointment as a Notary to practise in Chandigarh U.T.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(55)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 16 फरवरी, 1996

का.आ. 616—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री ललित मोहन मिश्र, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे साम्भलपुर जिला (उड़ीसा) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (54)/96—न्यायिक]

पी. सी. कण्णन्, सक्षम प्राधिकारी

NOTICE

New Delhi, the 16th February, 1996

S.O. 616.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority under Rule 4 of the said Rules, by Shri Lalit Mohan Mishra, Advocate for appointment as a Notary to practise in Sambalpur Distt. (ORISSA).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(54)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 16 फरवरी, 1996

का.आ. 617—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री यशपाल लरोइया, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे जिला न्यायालय तीस हजारी, राष्ट्रीय राजधानी दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (53)/96—न्यायिक]

पी. सी. कण्णन्, सक्षम प्राधिकारी

NOTICE

New Delhi, the 16th February, 1996

S.O. 617.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Yash Pal Laroya, Advocate for appointment as a Notary to practise in Distt. Courts Tis Hazari, N.C.T. of Delhi.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(53)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 16 फरवरी, 1996

का.आ. 618—नोटरीज नियम; 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री जगन सिंह, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे नोयडा (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आपेक्ष इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (52)/96—न्यायिक]

पी. सी. कण्णन्, सक्षम प्राधिकारी

NOTICE

वर्ष 1994-95 के दौरान प्राविष्ट किए गए :-

New Delhi, the 16th February, 1996

S.O. 618.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rule, by Shri Jagat Singh, Advocate for appointment as a Notary to practise in Noida (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(52)/96-Judl.]

P. C. KANNAN, Competent Authority

सूचना

नई दिल्ली, 19 फरवरी, 1996

का.आ. 619 —नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री विरेन्द्र कुमार शर्मा, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे तहसील स्याना, जिला बुलन्दशहर (उत्तर प्रदेश) में व्यवसाय करने के लिए नोटरी के रूप नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(56)/96-न्यायिक]

पी. सी. कन्नन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 19th February, 1996

S.O. 619.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956 that application has been made to the said Authority, under Rule 4 of the said Rules, by Sh. Virendra Kumar Sharma, Advocate for appointment as a Notary to practise in Teh. Siyana, Distt. Bulandshahar (U.P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. F. 5(56)/96-Judl.]

P. C. KANNAN, Competent Authority

वित्त मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली 13 फरवरी 1996

स्टाम्प

का.आ. 620:—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो कि इंडियन रेलवे फाइनेंस कॉर्पोरेशन ऑफ इंडिया लि. द्वारा

(क) एक सौ छिहत्तर करोड़ और पचास लाख रुपये के कुल मूल्य के 01 से 01765000 तक की विनिष्ट संख्या वाले एक-एक हजार रुपये के 10% कर-मुक्त सुरक्षित विमोच्य अपरिवर्तनीय बंधों (आई आर एफ सी) बंधपत्रों (9 "क" श्रृंखला) और

(ख) तीस करोड़ रुपये के कुल मूल्य के 001 से 300000 तक की विनिष्ट संख्या वाले एक-एक हजार रुपये के 9% कर-मुक्त सुरक्षित विमोच्य अपरिवर्तनीय बंधों (आई आर एफ सी) बंधपत्रों (9 "ख" श्रृंखला) ;

के प्रॉमिजरी नोटों के स्वयं से दर्जित बंधपत्रों पर उक्त अधिनियम के अंतर्गत प्रभावी है।

[सं. 16/96-स्टा.फा.सं. 33/73/94-वि.क.]

एस. कुमार, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 13th February, 1996

STAMPS

S.O. 620.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as :—

- (a) 10 per cent tax-free secured redeemable non convertible Railway (IRFC) Bonds (9"A" Series) bearing distinctive numbers from 01 to 01765000 of rupees one thousand each of the aggregate value of rupees one hundred seventy six crores and fifty lakhs and
- (b) 9 per cent tax-free secured redeemable non convertible Railway (IRFC) Bonds (9"B" Series) bearing distinctive numbers from 001 to 300000 of rupees one thousand each aggregating to rupees thirty crores,

allotted by the Indian Railway Finance Corporation of India Ltd. during the year 1994-95, are chargeable under the said Act.

[No. 16/96-Stamp-F. No. 33/73/94-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 15 फरवरी, 1996

स्टाम्प

का. आ. 621.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा महाराष्ट्र राज्य वित्त निगम, मुम्बई को मात्र पन्द्रह लाख रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है जो कि उक्त निगम द्वारा 3 अगस्त, 1995 को आवंटित किए गए पन्द्रह करोड़ रुपये के कुल मूल्य के सौ-सो रुपये के अंकित मूल्य के सममूल्य पर दिए गए प्रॉमिसरी नोटों के स्वरूप वाले 14% महाराष्ट्र राज्य वित्त निगम (एम एस एफ सी) बंधपत्रों 2005 (69वीं शृंखला) पर स्टाम्प शुल्क के कारण प्रभाव्य है।

[सं. 23/96-स्टा.-फा. सं. 15/3/96-वि. क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 15th February, 1996

STAMPS

S.O. 621.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Maharashtra state Financial Corporation, Bombay to pay consolidated Stamp Duty of rupees fifteen lakhs only, chargeable on account of the Stamp Duty on 14% MSFC Bonds 2005 (69th Series) in the form of promissory notes of the face value of rupees one hundred each at par of the aggregate value of rupees fifteen crores allotted by the said Corporation on 3rd August, 1995.

[No. 23/96-Stamp-F. No. 15/3/96-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 16 फरवरी, 1996

स्टाम्प

का.आ. 622.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मै. सारदा प्लाई वुड इन्डस्ट्रीज लि., कलकत्ता को मात्र दो लाख पचास हजार रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है जो मै. सारदा प्लाई वुड इन्डस्ट्रीज लि., कलकत्ता द्वारा जारी किए जाने वाले तीन करोड़ रुपये मूल्य के सम-मूल्य के 100-100 रुपये के 000001 से 300000 तक की विशिष्ट संख्या वाले 20% सुरक्षित विमोक्ष्य अंतरवर्तनीय ऋण-पत्रों पर प्रभाव्य है।

[सं. 17/96-स्टाम्प फा.सं. 15/4/96-वि.क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 16th February, 1996

STAMPS

S.O. 622.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Sarda Ply Wood Industries Limited, Calcutta to pay consolidated Stamp Duty of rupees two lakhs fifty thousand only chargeable on account of the Stamp Duty on 20 per cent Secured Redeemable Non-Convertible Debentures bearing distinctive numbers 000001 to 300000 of the face value of rupees one hundred at par of the aggregate value of rupees three crores to be issued by M/s. Sarda Ply Wood Industries Limited, Calcutta.

[No. 17/96-Stamp-F. No. 15/4/96-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 16 फरवरी, 1996

स्टाम्प

का.आ. 623.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो भारतीय प्रलम्बन ऊर्जा विकास अभिकरण लि., नई दिल्ली द्वारा 1994-95 वर्ष के दौरान आवंटित किए गए मात्र 50 करोड़ रु. के समग्र मूल्य के प्रॉमिसरी नोटों की प्रकृति के इरेडा के कर मुक्त बांडों (शृंखला-II) के रूप में वर्णित बांडों पर उक्त अधिनियम के तहत प्रभाव्य है।

[सं. 18/96-स्टाम्प-फा.सं. 33/11/95-वि.क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 16th February, 1996

STAMPS

S.O. 623.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as IREDA's Tax Free Bonds (Series-II) aggregating to rupees fifty crores only allotted by the Indian Renewable Energy Development Agency Limited, New Delhi during the year 1994-95; are chargeable under the said Act.

[No. 18/96-Stamp-F. No. 33/11/95-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 16 फरवरी, 1996

स्टाम्प

का.आ.624:— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो राष्ट्रीय आवास बैंक, नई दिल्ली द्वारा जारी किए गए एक सौ दो करोड़ रुपये मूल्य के 13 प्रतिशत राष्ट्रीय आवास बैंक ऋण-पत्रों-2000 (पहली शृंखला) के रूप में वर्णित प्रोमिसरी नोटों के स्वरूप के ऋण-पत्रों पर उक्त अधिनियम के तहत प्रभावी है।

[सं. 19/95-स्टाम्प-फा.सं. 33/29/95-वि.क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 16th February, 1996

STAMPS

S.O. 624.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the Nature of promissory note described as 13 per cent NHB Bonds-2000 (First Series) of the value of rupees one hundred and two crores only issued by National Housing Bank, New Delhi are chargeable under the said Act.

[No. 19/96-Stamp-F. No. 33/27/95-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 16 फरवरी, 1996

स्टाम्प

का.आ.625:— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो राष्ट्रीय सहकारी विकास निगम, नई दिल्ली द्वारा जारी किए जाने वाले मात्र पैंतीस करोड़ रुपये मूल्य के प्रोमिसरी नोटों के रूप में वर्णित 12.5% एन सी डी ऋण पत्र, 2005 (XXXVI) शृंखला पर उक्त अधिनियम के तहत प्रभावी है।

[सं. 20/95-स्टाम्प फा.सं. 33/2/95-वि.क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 16th February, 1996

STAMPS

S.O. 625.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as 12.5 per cent NCDC bonds, 2005 (XXXV Series) of the value of Rupees Thirty Five crores only to be issued by National Co-operative Development Corporation, New Delhi are chargeable under the said Act.

[No. 20/96-Stamp-F. No. 33/2/95-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 16 फरवरी, 1996

स्टाम्प

का. आ. 626:— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शुल्क को माफ करती है जो भारतीय शिपिंग क्रेडिट एवं इन्वेस्टमेंट कम्पनी द्वारा 25 अगस्त, 1995 को आवंटित किए गए मात्र दो सौ तिहत्तर करोड़ तथा साठ लाख रुपये समग्र मूल्य के 10-10 लाख रुपये के मूल्य के,—

(क) 001 से 1419 तक की विशिष्ट संख्या वाले मध्य अवधि नोट (म. अ. नो.) ; और

(ख) दस लाख रुपये मूल्य के 001-1317 तक की विशिष्ट संख्या वाले पांच वर्षीय बंधपत्रों ;

के प्रोमिसरी नोटों के स्वरूप में वर्णित बंधपत्रों पर उक्त अधिनियम के तहत प्रभावी है।

[सं. 21/96-स्टाम्प-फा. सं. 33/43/95-वि.क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 16th February, 1996

STAMPS

S.O. 626.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as :—

(a) Medium Term Notes (MTN) bearing distinctive numbers 001-1419; and

(b) Five year Bonds bearing distinctive numbers 011-1317;

of the value of rupees ten lakhs each aggregating to rupees two hundred seventy three crores and fifty lakhs only allotted by the Shipping Credit and Investment Company of India Ltd., Bombay on August 25, 1995; are chargeable under the said Act.

[No. 21/96-Stamp-F. No. 33/43/95-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 16 फरवरी, 1996

स्टाम्प

का. आ. 627.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा उस शुल्क को माफ करती है जो दामोदर घाटी निगम, कलकत्ता द्वारा 25-3-94 को आवंटित किए गए मात्र पच्चीस करोड़ रुपये के समय मूल्य के 1000-1000 रुपये वाले दामोदर घाटी निगम कराध्य बांडों के रूप में वर्णित ऋण-पत्रों की प्रकृति वाले बांधों पर उक्त अधिनियम के तहत प्रभावी है।

[सं. 22/96-स्टाम्प-फा. सं. 33/17/95-वि. क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 16th February, 1996

STAMPS

S.O. 627.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of debentures described as Damodar Valley Corporation Taxable Bonds of the value of rupees one thousand each aggregating to rupees twenty five crores only floated on 25-3-1994 by Damodar Valley Corporation, Calcutta are chargeable under the said Act.

[No. 22/96-Stamp-F. No. 33/17/95-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 19 फरवरी, 1996

स्टाम्प

का. आ. 628.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा उस शुल्क को माफ करती है जो वर्ष 1994-95 के दौरान मध्य प्रदेश वित्त निगम, इन्दौर द्वारा आवंटित किए गए मात्र 15 करोड़ रुपये के कुल मूल्य के 1 से 47 तक की विशिष्ट संख्या वाले 12.5% एस पी एफ सी बंधपत्र 2004 (II शृंखला) और मात्र छः करोड़ रुपये की समेकित मूल्य के 1 से 36 तक की विशिष्ट संख्या वाले 22.5% एस पी एफ सी बंधपत्र 2005 (II शृंखला) के रूप में वर्णित प्रोमिसरी नोटों के स्वरूप वाले बंधपत्रों पर उक्त अधिनियम के अंतर्गत प्रभावी हैं।

[सं. 24/96-स्टाम्प-फा. सं. 33/40/95-विक्री कर]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 19th February, 1996

STAMPS

S.O. 628.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as 12.5% MPFC Bonds 2004 (II Series) bearing distinctive numbers 1 to 47 of the aggregate value of rupees fifteen crores and 12.5% MPFC Bonds 2005 (I Series) bearing distinctive numbers 1 to 36 of the aggregate value of rupees six crores only allotted by Madhya Pradesh Financial Corporation, Indore during the year 1994-95, are chargeable under the said Act.

[No. 24/96-Stamp-F. No. 33/40/95-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 19 फरवरी, 1996

स्टाम्प

का. आ. 629.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा उस शुल्क को माफ करती है, जो कर्नाटक राज्य वित्त निगम, बंगलौर द्वारा:—

(क) 5 जनवरी, 1994 को जारी किए गए मात्र दस करोड़ रुपये के कुल मूल्य के 13.5% के एस एफ. सी. बंधपत्र 2004 (60वीं शृंखला) और

(ख) 1 मितम्बर, 1994 को जारी किए गए मात्र पन्द्रह करोड़ रुपये के कुल मूल्य के 12.5% के एस एफ सी बंधपत्र 2004 (61 वीं शृंखला); के प्रोमिसरी नोटों के स्वरूप में वर्णित बंधपत्रों पर उक्त अधिनियम के तहत प्रभावी है।

[सं. 25/96-स्टाम्प-फा. सं. 33/59/94-वि. क.]

एस. कुमार, अवर सचिव

ORDER

New Delhi, the 19th February, 1996

STAMPS

S.O. 629.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the nature of promissory notes described as :—

(a) 13.5% KSFC Bonds 2004 (60th Series) of the aggregate value of rupees ten crores only issued on 5th January, 1994; and

(b) 12.5%KSFC Bonds 2004 (61st Series) of the aggregate value of rupees fifteen crores only issued on 1st September, 1994 ;

by the Karnataka State Financial Corporation, Bangalore are chargeable under the said Act.

[No. 25/96-Stamp-F. No. 33/59/94-ST]

S. KUMAR, Under Secy.

(केन्द्रीय आयकर बोर्ड)

नई दिल्ली, 22 फरवरी, 1996

का.आ. 630.—सर्वसाधारण की सूचना यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा भै. एस वी आई होम फाइनेंस लि., नागालैण्ड हाऊस, 11 एवं 13 शेक्सपियर मार्ग, कलकत्ता-700071 को आयकर अधिनियम, 1961 की धारा 36 (i) (viii) के प्रयोजनार्थ कर निर्धारण वर्ष 1996-97 से 1998-99 तक के लिए हाऊसिंग फाइनेंस कम्पनी के रूप में अनुमोदित किया गया है।

2. यह अनुमोदन इस शर्त पर किया गया है कि कम्पनी आयकर अधिनियम, 1961 की धारा 36 (i) (viii) के उपबंधों के अनुरूप होगी और उनका अनुपालन करेगी।

[अधिसूचना सं. 9989/फा.सं. 204/11/95-आयकर-नि-II]

निशि सिंह, उप सचिव

(Central Board of Direct Taxes)

New Delhi, the 22nd February, 1996

S.O. 630.—It is notified for general information that M/s. SBI Home Finance Ltd., Nagaland House, 11 and 13 Shakespeare Sarani, Calcutta-700071 have been approved by the Central Government as a Housing Finance Company for the purposes of section 36(i)(viii) of the Income-tax Act, 1961 for the assessment years 1996-97 to 1998-99.

2. The approval is subject to the condition that the company will conform to and comply with the provisions of section 36(i)(viii) of the Income-tax Act, 1961.

[Notification No. 9989/F. No. 204/11/95-ITA.II]

NISHI SINGH, Dy. Secy.

नई दिल्ली, 22 फरवरी, 1996

का.आ. 631.—सर्वसाधारण की सूचना के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा भै. सेंट बैंक आफ फाइनेंस लि., फ्लैट सं. - 1, प्लॉट सं. 51, अरेरा हिल्स, होशंगाबाद रोड, भोपाल - 462011 को आयकर अधिनियम, 1961 की धारा 36 (i) (viii) के प्रयोजनार्थ कर निर्धारण वर्ष 1995-96 से 1997-98 तक के लिए हाऊसिंग फाइनेंस कम्पनी के रूप में अनुमोदित किया गया है।

2. यह अनुमोदन इस शर्त पर किया गया है कि कम्पनी आयकर अधिनियम, 1961 की धारा 36 (i) (viii) के उपबंधों के अनुरूप होगी और उनका अनुपालन करेगी।

[अधिसूचना सं. 9988/फा.सं. 204/37/94-आयकर-नि-II]

निशि सिंह, उप सचिव

New Delhi, the 22nd February, 1996

S.O. 631.—It is notified for general information that M/s. Cent Bank Home Finance Ltd., Flat No. 1, Plot No. 51, Arera Hills, Hoshangabad Road, Bhopal-462011 have been approved by the Central Government as a Housing Finance Company for the purposes of section 36(i)(viii) of the Income-tax Act, 1961, for the assessment years 1995-96 to 1997-98.

2. The approval is subject to the condition that the company will conform to and comply with the provisions of section 36(i)(viii) of the Income-tax Act, 1961.

[Notification No. 9988/F. No. 204/37/94-ITA.II]

NISHI SINGH, Dy. Secy.

(आर्थिक कार्य विभाग)

(वैकिंग प्रभाग)

नई दिल्ली, 26 जुलाई, 1994

का.आ. 632.—सरकारी स्थान (अप्राधिकृत अधिकारियों की बेखुशी) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और 12 मई, 1990 को भारत के राजपत्र में का. आ. 1357 के रूप में प्रकाशित भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (वैकिंग प्रभाग) की अधिसूचना संख्या 13/5/89-वीओ-III का अतिक्रमण करते हुए, ऐसे अधिक्रमण से पहले किये गये कार्यों और करने के लिए छोड़े गए कार्यों को छोड़ कर केन्द्रीय सरकार एतद्द्वारा निम्नलिखित सारणी के कालम (1) में उल्लिखित उन अधिकारियों को नियुक्त करती है जो सरकार के राजपत्रित अधिकारियों के स्तर के समकक्ष अधिकारी होंगे और उक्त अधिनियम के प्रयोजन के लिए सम्पदा अधिकारी (एस्टेट ऑफिसर) होंगे। जो उक्त अधिनियम द्वारा प्रदत्त शक्तियों का प्रयोग करेंगे तथा उसके अधीन उक्त सारणी के कालम (2) में उल्लिखित सरकारी स्थानों के संबंध में सम्पदा अधिकारियों को सौंपे गये कार्यों को पूरा करेंगे।

सारणी

अधिकारी का पद	सरकारी स्थानों की श्रेणियाँ और अधिकार क्षेत्र की सीमा
सहायक महाप्रबंधक,	देना बैंक का अथवा उसके द्वारा कानून और विशेष खते अथवा उसकी ओर से पट्टे देना बैंक, प्रधान कार्यालय, पर किया गया और उसके प्रशास-बम्बई
	निक नियंत्रण वाला महाराष्ट्र राज्य में अवस्थित स्थान

[सं. 13/5/89 - वी ओ - III]

वी. एल. सचदेव, अवर सचिव

(Department of Economic Affairs)

New Delhi, the 20th February, 1996

(Banking Division)

New Delhi, the 26th July, 1994

S.O. 632.—In exercise of the powers conferred by section 3 of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) No. 13/5/89—B.O.III published as S.O. 1357 in the Gazette of India dated 12th May, 1990 except as respect things done or omitted to be done before such supersession, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being officer equivalent to the rank of a gazetted officer of Government to be estate officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on the estate officers by or under the said Act in respect of the public premises specified in column (2) of the said Table.

The Table

Designation of the officer	Categories of public premises and local limits of jurisdiction
(1)	(2)
The Assistant General Manager Legal & Special A/Cs, Dena Bank, Head Office, Bombay.	Premises belonging to or taken on lease by, or on behalf of, and under the administrative control of the Dena Bank situated in the State of Maharashtra.

[No. 13/5/89—B.O. III]

B.L. SACHDEV, Under Secy.

नई दिल्ली, 20 फरवरी, 1996

का.आ. 633—राष्ट्रीय कृषि और ग्रामीण विकास बैंक अधिनियम, 1981 (1981 का 61) की धारा 6 की उपधारा (1) के खंड (ख) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक के परामर्श से, एतद्वारा श्री वी. राम-भुपल चौधरी, 40-440-4, भास्कर नगर, कुरुनूल-518 001 (आन्ध्र प्रदेश) को 20 फरवरी, 1996 से आरम्भ होने वाली 3 वर्ष की अवधि के लिए राष्ट्रीय कृषि और ग्रामीण विकास बैंक का निदेशक नियुक्त करती है।

[संख्या एफ. 7/18/92-बी.ओ. I]

के. के. मंगल, अवसर सचिव

S.O. 633.—In pursuance of clause (b) of sub-section (1) of section 6 of the National Bank for Agriculture and Rural Development Act, 1981 (61 of 1981), the Central Government, in consultation with the Reserve Bank of India, hereby appoints Shri V. Ram Bhupal Chowdary, 40-440-4, Bhaskar Nagar, Kurnool-518001 (A.P.), as a Director on the Board of National Bank for Agriculture and Rural Development for a period of three years commencing on 20th February, 1996.

[No. F. 7/18/92-BO.II]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का. आ. 634—राष्ट्रीय कृत बैंक (प्रबंध और प्रकीर्ण उपबंध स्कीम, 1980 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3(क) के साथ पठित उपधारा (3) के खंड (ज) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा श्री डी. नरसिंह राव, म. नं. 3-5-179/ए लक्ष्मीनगर, सिकन्दराबाद कैंट (आन्ध्र प्रदेश) को 23 फरवरी, 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए आन्ध्रा बैंक के बोर्ड में निदेशक के रूप में नामित करती है।

[एफ. सं. 9/31 (ए)/92 ; बी. श्री. 1(i)]

के. के. मंगल, अवसर सचिव

New Delhi, the 23rd February, 1996

S.O. 634.—In exercise of the powers conferred by Clause (b) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri D. Narsing Rao, H. No. 3-5-179/A, Laxminagar, Secunderabad Cantt. as Director of Andhra Bank for a period of three years commencing on 23rd February, 1996.

[F. No. 9/31A/92-BO.II]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का. आ. 635—राष्ट्रीय कृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3(क) के साथ पठित उपधारा (3) के खंड (ज) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा श्री मेराजोथु सूर्या नायक, एच आरडी जी-ए/77, न्यू संतोषनगर काकोनी, श्री वेंकटेश्वर मंदिर के पास, हैदराबाद को 23 फरवरी, 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए आन्ध्रा बैंक के बोर्ड में निदेशक के रूप में नामित करती है।

[एफ. सं. 9/31 ए/92-बीओ 1 (II)]

के. के. मंगल, अवसर सचिव

New Delhi, the 23rd February, 1996

S.O. 635.—In exercise of the powers conferred by Clause (h) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri Merajothu Surya Naik, HIG-A, 77, New Santosh Nagar Colony, Near Sri Venkateswara Temple, Hyderabad as Director of Andhra Bank for a period of three years commencing on 23rd February, 1996.

[F. No. 9/31A/92-BO.III]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का.आ. 636—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3(क) के साथ पठित उपधारा (3) के खंड (ज) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा श्री युगराज एम. भदौरिया ग्राम एवं डाक बजार, जिला हमीरपुर उ.प्र. को 23 फरवरी 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए बैंक आफ इंडिया के बोर्ड में निदेशक के रूप में नामित करती है।

[फ. सं. 9/32/92 - बी ओ - 1]

के. के. मंगल, अवर सचिव

New Delhi, the 23rd February, 1996

S.O. 636.—In exercise of the powers conferred by Clause (h) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of Clause 3 of the Nationalised Bank (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri Yugraj S. Bhadauria, Village and Post Bazar, District Hamirpur (UP) as Director of Bank of India for a period of three years commencing on 23rd February, 1996.

[F. No. 9/32/92-BO.I]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का.आ. 637—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा 3(क) के साथ पठित उपधारा (3) के खंड (ज) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा श्री वी. वी. मलिक्याना राव, प्लॉट नं. 49, श्रीनगर कालोनी, हैदराबाद - 500873 (आन्ध्र प्रदेश) को 23 फरवरी, 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए सेंट्रल बैंक आफ इंडिया के बोर्ड में निदेशक के रूप में नामित करती है।

[फ. सं. 9/37/92 - बी. ओ. I]

के. के. मंगल, अवर सचिव

New Delhi, the 23rd February, 1996

S.O. 637.—In exercise of the powers conferred by Clause (h) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri V. V. Manikvala Rao, Plot No. 49, Srinagar Colony, Hyderabad-500873 (AP) as Director of Central Bank of India for a period of three years commencing on 23rd February, 1996.

[F. No. 9/37/92-BO.I]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का.आ. 638—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3(क) के साथ पठित उपधारा (3) के खंड (ज) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा श्री शैलभ शर्मा, 116/4 शिवजी नगर, भोपाल - 462016 को 23 फरवरी, 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए ओरिएण्टल बैंक आफ कॉमर्स के बोर्ड में निदेशक के रूप में नामित करती है।

[फ. सं. 9/42/92 - बी. ओ. I]

के. के. मंगल, अवर सचिव

New Delhi, the 23rd February, 1996

S.O. 638.—In exercise of the powers conferred by Clause (h) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri Shalabh Sharma, 116/4, Shivjee Nagar, Bhopal-462016 as Director of Oriental Bank of Commerce for a period of three years commencing on 23rd February, 1996.

[F. No. 9/42/92-BO.II]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का.आ. 639—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खंड 3 के उपखंड (1) के साथ पठित बैंककारी कम्पनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3(क) के साथ पठित उपधारा (3) के खंड (ज) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्वारा श्री रामोल् जयप्रकाश, एम आई जी - 1, ब्लॉक - 15, फ्लैट 7 बाधालिमपल्ली, हैदराबाद - 44 को 23 फरवरी, 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए पंजाब एंड सिन्ध बैंक के बोर्ड में निदेशक के रूप में नामित करती है।

[फ. सं. 9/44/92 - बी ओ - I]

के. के. मंगल, अवर सचिव

New Delhi, the 23rd February, 1996

S.O. 639.—In exercise of the powers conferred by Clause (h) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri Rapola Jayaprakash, MIG-I, Block-15, Flat-7, Baghlin-gampally, Hyderabad-44, as Director of Punjab & Sind Bank for a period of three years commencing on 23rd February, 1996.

[F. No. 9/44/92-BO.I]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का.आ. 640.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध), 1970 के खंड 3 के उपखंड (1) के साथ पठित बैंक क़ारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) के खंड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्द्वारा, श्री गारिमेल्ला सत्यनारायण, 10-2-276/2, मेरुडपल्ली, सिकन्दराबाद-500026 को 23 फरवरी, 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए यूनियन बैंक ऑफ इंडिया के बोर्ड में निदेशक के रूप में नामित करती है।

[एफ. सं. 9/47/92-बी.ओ.1]

के. के. मंगल, अवर सचिव

New Delhi, the 23rd February, 1996

S.O. 640.—In exercise of the powers conferred by Clause (a) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank

of India, hereby nominates Shri Garimella Satyanarayana, 10 2-276/2, West Marredpalli, Secunderabad-500026, as Director of Union Bank of India for a period of three years commencing on 23rd February, 1996.

[F. No. 9/47/92-BO.I]

K. K. MANGAL, Under Secy.

नई दिल्ली, 23 फरवरी, 1996

का.आ. 641.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध), 1980 के खंड 3 के उपखंड (1) के साथ पठित बैंक क़ारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1980 की धारा 9 की उपधारा 3(क) के साथ पठित उपधारा (3) के खंड (अ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात्, एतद्द्वारा श्री वेंकटरमण सेट्टी, डोर नं. 69, चौथा क्रॉस रोड, होसाहल्ली, 11 मेन, विजयनगर, बंगलूर-560040 को 23 फरवरी, 1996 से आरम्भ होने वाली तीन वर्षों की अवधि के लिए विजया बैंक के बोर्ड में निदेशक के रूप में नामित करती है।

[एफ. सं. 9/49/92-बी.ओ.1]

के. के. मंगल, अवर सचिव

New Delhi, the 23rd February, 1996

S.O. 641.—In exercise of the powers conferred by Clause (h) of sub-section (3) read with Sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980, read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government, after consultation with the Reserve Bank of India, hereby nominates Shri Venkataramana Setty, Door No. 69, 4th Cross, Hosahalli, II Main, Vijayanagar, Bangalore-560040 as Director of Vijaya Bank for a period of three years commencing on 23rd February, 1996.

[F. No. 9/49/92-BO.I]

K. K. MANGAL, Under Secy.

मुख्य आयकर आयुक्त का कार्यालय

कलकत्ता, 24 नवम्बर, 1995

[सं. 5/95-96]

का. आ. 642.—आयकर अधिकारियों के निम्नलिखित पांच नये प्रभारों का नीचे दिए गए अनुसूची के अनुसार दिनांक 01-12-95 से सृजन किया जाता है।

अनुसूची

क्रम सं.	प्रभार का नाम	मुख्यालय	आयकर उपायुक्त के अधीन	आयकर आयुक्त प. बं. के क्षेत्राधिकार में
1.	आयकर अधिकारी वार्ड-21(8)	कलकत्ता	आयकर उपायुक्त, रेंज-21, कलकत्ता	आयकर आयुक्त, प. बं.-7 कलकत्ता
2.	आयकर अधिकारी वार्ड-7 सिलिगुड़ी	सिलिगुड़ी	आयकर उपायुक्त, रेंज जलपाईगुड़ी	आयकर आयुक्त, प. बं. 8, कलकत्ता
3.	आयकर अधिकारी वार्ड-5 वर्धमान	वर्धमान	आयकर उपायुक्त, रेंज आसनसोल	आयकर आयुक्त, प. बं.-11, कलकत्ता
4.	आयकर अधिकारी वार्ड-3 हृदिद्या	हृदिद्या	आयकर उपायुक्त, रेंज 19, कलकत्ता	आयकर आयुक्त, पं. बं.-11 कलकत्ता
5.	आयकर अधिकारी वार्ड -6 हुगली	हुगली	आयकर आयुक्त, रेंज 19	आयकर आयुक्त, ए. बी.-11 कलकत्ता

[एफ. सं. सं. आ/मुख्या/योजना/10/95/96]

लोकेश्वर मिह, मुख्य आयकर आयुक्त-III

के. प्री. मिह, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME-TAX

Calcutta, the 24th November, 1995

[No. 5/95-96]

S.O. 642.—The following five new charges of Income-tax Officers are created w.e.f. 01-12-1995 as per schedule given below:—

SCHEDULE

Sl. No.	Name of the charge	Headquarters	Under Deputy Commissioner of Income-tax	Jurisdiction of Commissioner of Income-tax, West Bengal
1.	I.T.O. Ward-21, (8) Calcutta.	Calcutta	DCIT, Range-21, Calcutta.	CIT, WB-VII, Calcutta.
2.	I.T.O. Ward-7, Siliguri	Siliguri	DCIT, Range Jalpaiguri.	CIT, WB-VIII, Calcutta.
3.	I.T.O. Ward-5, Burdwan	Burdwan	DCIT, Range Asansol.	CIT, WB-XI, Calcutta.
4.	I.T.O. Ward-3, Haldia	Haldia	DCIT, Range-19, Calcutta.	CIT, WB-XI, Calcutta.
5.	I.T.O. Ward-6, Hooghly	Hooghly	DCIT, Range-19, Calcutta.	CIT, WB-XI, Calcutta.

[F.No. AC/HQ/PLANNING/10/95-96]

Tejinder Singh, Chief Commissioner of Income-tax-III,

K.P. SINGH, Chief Commissioner of Income-tax,

मानव संसाधन विकास मंत्रालय

(शिक्षा विभाग)

नई दिल्ली, 19 फरवरी, 1996

का.प्र. 643.—प्रोविजल प्रतिष्ठान अधिनियम, 1988 (1988 का 54) के खंड II, उपखंड 1(ii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत के राजपत्र, भाग II, खंड 3(ii) में प्रकाशित, भारत सरकार मानव संसाधन विकास मंत्रालय, शिक्षा विभाग अधिसूचना संख्या एफ-27-12/95-यू. विनांक 14 फरवरी, 1995 के आशिक संशोधन में केन्द्रीय सरकार एतद्वारा इस अधिसूचना के जारी होने की तिथि से श्री गीता राम, भूतपूर्व उप सचिव (यूनेस्को) के स्थान पर निम्नलिखित व्यक्ति को प्रोविजल प्रतिष्ठान के शासी बोर्ड के सदस्य के रूप में नामित करती है।

डॉ. श्रीमती रुपा भार. जोशी

(पदेन)

निदेशक (यू.यू.)

शिक्षा विभाग,

मानव संसाधन विकास मंत्रालय,

नई दिल्ली, 110 001

[सं. एफ 27-12/95-यू.यू. (पी. टी.)]

के. एस. शर्मा, अवर सचिव (आई० एम० सी०)

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of Education)

New Delhi, the 19th February, 1996

S.O. 643.—In exercise of the powers conferred by Section II. Sub-section 1(ii) of the Auroville Foundation Act, 1988 (54 of 1988), and in partial modification of the Government

of India, Ministry of Human Resource Development, Department of Education Notification No. F. 27-12/95-UU dated the 14th December, 1995 published in the Gazette of India, Part II, Section 3(ii), the Central Government hereby nominates with effect from the date of issue of this Notification, the following person as member to the Governing Board of the Auroville Foundation in place of Shri Geeta Ram, formerly Deputy Secretary (UNESCO).

Dr. (Mrs.) Roopa R. Joshi (ex-Officio),
Director (UU),
Department of Education,
Ministry of Human Resource Development,
New Delhi-110001.

[No. F. 27-12/95-UU(Pt.)]

K. S. SHARMA, Under Secy. (INC)

(संस्कृति विभाग)

नई दिल्ली, 22 फरवरी, 1996

का.प्र. 644.—विश्व मंत्रालय (अध्यय विभाग) के विनांक 24 जुलाई, 1990 के कार्यालय ज्ञापन सं. 19(1)/आई.सी./86 के अनुसरण में केन्द्रीय सरकार ने केन्द्रीय सचिवालय प्रभागार, नई दिल्ली के व्यावसायिक, अर्द्धव्यावसायिक तथा सहायक स्टाफ (अनुसूचित स्टाफ को छोड़कर) के संबंध में संशोधित पद नाम एवं वेतन ढांचे को संलग्न विवरण के अनुसार स्वीकार कर लिया है। संशोधन दिनांक 24 जुलाई, 1990 से लागू होगा।

संशोधित ढांचे की अन्य शर्तें विश्व मंत्रालय के ऊपर उल्लिखित कार्यलय ज्ञापन के अनुसार हैं।

[का. सं. 11015/1/90-स्थापना]

ए. सी. उप्पल, अवर सचिव

वित्त मंत्रालय (व्यय विभाग), के का. शा. सं. 19 (1)/आई. सा./86, दिनांक 24-7-90 के तहत व्यावसायिक, अर्द्ध-व्यावसायिक तथा सहायक स्टाफ के संबंध में विद्यमान व संशोधित ढांचे को दर्शाने वाला विवरण पत्र

क्रम सं.	विद्यमान के पदनाम	पदों की सं.	विद्यमान वेतनमान	संशोधित पदनाम	पदों की सं.	संशोधित वेतनमान	अभ्युक्तियां
1	2	3	4	5	6	7	8
संस्कृति विभाग							
1.	कनिष्ठ पुस्तकालय परिचर	4	800-1150 रु.	वरिष्ठ पुस्तकालय परिचर	4	800-1150 रु.	मौजूदा पदों में पारस्परिक वरिष्ठता बरकरार रखने के अध्याधीन
2.	वरिष्ठ पुस्तकालय, परिचर	8	950-1400 रु.	पुस्तकालय लिपिक	8	950-1500 रु.	—वही—
3.	(i) पुस्तकालयाध्यक्ष ग्रेड—III	11	1350-2200 रु.	पुस्तकालय एवं सूचना सहायक	* 24	1400-2600 रु.	उच्चतर वेतननाम के पदधारी अगले निम्नले
	(ii) पुस्तकालयाध्यक्ष ग्रेड—II	* 13	1400-2300 रु.	सूचना सहायक			वेतनमान के पद-धारियों से सामूहिक रूप से वरिष्ठ होंगे।
4.	(i) पुस्तकालयाध्यक्ष ग्रेड—II (भाषा)	4	1400-2300 रु.	सहायक पुस्तकालय एवं सूचना अधिकारी भाषा	9	2000-3500 रु.	—वही—
	(ii) पुस्तकालयअध्यक्ष ग्रेड—I (भाषा)	5	2000-3500 रु.				
5.	पुस्तकालयाध्यक्ष ग्रेड—I	** 9	2000-3500 रु.	सहायक पुस्तकालय सूचना अधिकारी	** 9	2000-3500 रु.	
6.	सहायक निवेशक	2	3000-4500 रु.	पुस्तकालय एवं सूचना अधिकारी	2	3000-4500 रु.	
7.	निदेशक	1	4500-5700 रु.	निवेशक	1	4500-5700 रु.	

*शिक्षा विभाग के 2 पदों सहित।

**शिक्षा विभाग के 3 पदों सहित।

(Department of Culture)

New Delhi, the 22nd February, 1996

S.O. 644 .—In pursuance of Ministry of Finance (Department of Expenditure) O.M. No. 19(1)/IC/86 dated 24th July, 1990 the Government has adopted the revised designation and pay structure in respect of the professional, semi professional and supporting staff (other that

Ministerial staff) of the Central Secretariat Library, New Delhi as per the statement attached, the revision will take effect from 24th July 1990.

The other terms and conditions for the revised structure are as per the Ministry of Finance O.M. referred to above.

[No. F. 11015/1/90-Estt.]

A.C. UPPAL, Under Secy

O.M. No. 19(1)/IC/86 dated 24-7-90.

Sl. No.	Existing designation	No. of posts	Existing pay scale	Revised designation	No. of posts	Revised pay scale	Remarks
1	2	3	4	5	6	7	8
DEPARTMENT OF CULTURE							
1.	Junior Library Attendant	4	Rs. 800-1150	Senior Library Attendant	4	Rs. 800-1150	Subject to maintenance of interse seniority in the existing posts.
2.	Senior Library Attendant	8	Rs. 950-1400	Library Clerk	8	Rs. 950-1500	-do-
3.	(i) Librarian Gr. III (ii) Librarian Gr. II	11 13	Rs. 1350-2200 Rs. 1400-2300	Library and Information Assistant	*24	Rs. 1400-2600	The incumbents in the higher pay scale will rank exblock senior to those holding the next lower scale pay.
4.	(i) Librarian Gr. II (Lang.) (ii) Librarian Gr. I (Lang.)	4 5	Rs. 1400-2300 Rs. 2000-3500	Assistant library and Information Officer (lang.)	9	Rs. 2000-3500	-do-
5.	Librarian Gr. I	**9	Rs. 2000-3500	Assistant Library and Information Officer	**9	Rs. 2000-3500	
6.	Assistant Director	2	Rs. 3000-4500	Library and Information Officer	2	Rs. 3000-4500	
7.	Director	1	Rs. 4500-5700	Director	1	Rs. 4500-5700	

*including 2 posts in Department of Education

**including 3 posts in Deptt. of Education

पेट्रोलियम और प्राकृतिक गैस संश्लेषण

नई दिल्ली, 23 फरवरी, 1996

का.आ. 645. —यतः पेट्रोलियम और खनिज पाषाण लाहट (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2897 तारीख 4-11-95 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को वापस लाहट विधान के प्रयोजन के लिए अर्जन करने का अपना आशय घोषित किया था।

ओर यत. सधाम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

नत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट समितियों में उपवास का अधिकार अर्जित करने का विनिश्चय किया है।

यतः अत्र उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पादप वाहन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए भारत सरकार में विहित होने के बजाय भारतीय नैस प्रतिकरण विमितेड में सभी बाधक से मुक्त रूप से, प्रयोग के प्रभावत की एक सरीख को विहित होगा।

अतः

कानावाडा ई. पी. एम. से जी. ई. अपार श्रीमवासो पादप गान्ध
राज्य : गजराज तालिका : मातार जिना : खेडा

क्रम सं.	क्षेत्र	ग्राम	ब्लॉक सं.	क्षेत्र	सेटींग्स
बागनाला	414	00	31	20	
	445	00	07	80	
	446	00	01	04	
	447/1	00	36	76	
	448	00	05	85	
	450	00	14	72	
शैलगाड़ी मार्ग		00	00	65	
	451	00	12	22	
बागनाला कलावाडा रोड		00	01	89	
	581	00	02	73	
	580	00	05	20	
	529 /A बो	00	14	05	
	536	00	19	37	
शैलगाड़ी मार्ग		00	00	91	
	573	00	01	42	
	572	00	10	14	

1	2	3	4	5
वसिना—अरी	575	00	03	25
	570	00	15	00
	569	00	00	88
	559	00	02	86
	512	00	07	80
	561/ए, बी	00	11	44
	564	00	08	84
कच्छ रोड से लक्ष्मीपुर		00	01	56
	644	00	21	84
	673	00	17	68
	635	00	00	65
	674	00	09	52
	675	00	12	74
	678	00	10	66
	677	00	17	42
	676	00	17	68
नाला		00	01	04
	756	00	01	43
	755	00	14	30
	749	00	12	22
	747	00	15	60
	759	00	11	44
	760	00	08	92
		03	89	92

[सं. एल 14016/3/95-जी. पी

अर्धेन्दु सेन, निदेशक

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 23rd February, 1996

S. O. 645.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2897 Dated 4-11-85 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government,

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification,

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all claimances.

SCHEDULE

Pipeline from Kanawada EPS to GE Apar at Limbasi

State : Gujarat Taluka : Matar Dist : Kheda

Village	Sr. No. Block No.	Area		
		Hec-tare	Arc	Centi-jare
Vastana	444	00	31	20
	445	00	07	80
	446	00	01	04
	447/1	00	36	36
	448	00	05	85
	450	00	14	32
	Cart Track	00	00	65
	451	00	12	22
	Vasana Khana-wada RD	00	01	89
	531	00	02	73
	530	00	05	20
	529/A, B	00	11	05
	536	00	19	37
	Cart Track	00	00	91
	573	00	04	42
	572	00	10	14
	575	00	03	25
	570	00	15	60
	569	00	00	88
	559	00	02	86
	562	00	07	80
	561/A, B	00	11	44
	564	00	08	84
	Kaccha Road to Laxmipura	00	01	56
	644	00	21	84
	673	00	17	68
	635	00	00	65
	674	00	09	52
	675	00	12	74
	678	00	10	66
	677	00	17	42
	676	00	17	68
	Nalla	00	01	04
	756	00	01	43
	755	00	14	30
	749	00	12	22
	747	00	15	60
	759	00	11	44
	760	00	08	32
		03	89	92

[No. L-14016/3/95—GP.]
ARDHENDU SEN, Director

नई दिल्ली, 23 फरवरी, 1996

का.आ. 645 —यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2895 तारीख 4-11-95 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न भूमि में विनि-विष्ट भूमियों के उपयोग के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जन करने का अपना आग्रह व्यक्त किया था।

और यन् सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है।

अतः अब उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाश्च लाहन ब्रिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते ^{उप} सरकार में निहित होने के बजाय भारतीय नैस प्राधिकरण लिमिटेड में सभी वाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कानावाडा ई. पी. एस से जीई अपार
सीमावासी पाश्च लाहन

राज्य: गुजरात

तालुका: केमबेय जिला: खोडा

ग्राम	क्रम सं.	क्षेत्र	क्षेत्र सं.	क्षेत्र सं.
		क्षेत्र	क्षेत्र सं.	क्षेत्र सं.

कानावाडा	कानावाडा	00	03	62
	इपीएस			
	98	00	08	32
	99	00	01	70
	100/1, 2	00	04	68
	101/1, 2	00	04	16
	102	00	13	26
	103	00	23	74
	104	00	00	65
	39	00	03	25
	38	00	04	29
	बैल गाड़ी मार्ग	00	00	78
	114	00	16	25
	122	00	03	25
	माइनर	00	01	37
	121	00	04	68
	120	00	07	02
	119	00	05	20
	माइनर	00	01	10
	170/पी	00	23	38
	165	00	00	65
	145	00	05	85
	143	00	14	95
	139	00	00	68
	141	00	06	63
	157	00	06	24
	156	00	03	12
	292	00	07	80
	291	00	00	20
	290	00	04	68

1	2	3	4	5
कानावाडा—(जारी)	289	00	04	16
	288	00	00	20
बैल गाड़ी मार्ग		00	00	52
	287	00	13	13
	285	00	01	30
	286/पी	00	09	36
	284	00	06	24
कच्छ रोड से रसावापुरा		00	02	60
	355	00	01	04
नाला		00	02	86
	358	00	14	43
	357	00	08	45
	369	00	10	40
	368	00	11	44
	367	00	05	20
	370	00	05	14
	404	00	28	12
	376/1, 2	00	06	45
	377	00	10	40
	378	00	10	92
	401/1, 2	00	07	80
	382	00	10	66
	400	00	01	00
	383	00	11	44
	399/1, 2, 6, 8	00	10	90
	394	00	24	18
	393/1, 2	00	05	20
	392/1	00	04	68
	391	00	04	94
	कुल	01	14	66

[सं. एल. 14016/3/95-जी. पी.]

अर्चेंद्रु सेन, निदेशक

New Delhi, the 23rd February, 1996

S.O. 646.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2895 Dated 4-11-95 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And, Further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from Kanawada EPS to GE Apar at Limbasi
State : Gujarat Taluka : Cambay Dist : Kheda

Village	Sr. No. Block No.	Area Hec- tare	Are Centiare	
1	2	3	4	5
Kanawada	Kanawada EPS	00	03	62
	98	00	08	32
	99	00	01	70
	100/1,2	00	04	68
	101/1, 2	00	04	16
	102	0	13	26
	103	00	23	74
	104	00	00	65
	39	00	03	25
	38	00	04	29
	Cart Track	00	00	78
	114	00	16	25
	122	00	03	25
	Minor	00	01	37
	121	00	04	68
	120	00	07	02
	119	00	05	20
	Minor	00	01	10
	170/P	00	23	38
	165	00	00	65
	145	00	05	85
	143	00	14	95
	159	00	00	68
	144	00	06	63
	157	00	06	24
	156	00	03	12
	292	00	07	70
	291	00	00	20
	290	00	04	68
	289	00	04	16
	288	00	00	20
	Cart track	00	00	52
	287	00	13	13
	285	00	01	30
	286/P	00	09	36
	284	00	06	24
	Kacceah Road to Rasulpura	00	02	60
	355	00	01	04
		02	20	05
	Nalla	00	02	86
	358	00	14	43
	357	00	08	45
	369	00	10	40
	368	00	11	44
	367	00	05	20

1	2	3	4	5
	370	00	05	14
	404	00	28	12
	376/1, 2	00	06	45
	377	00	10	40
	378	00	10	92
	401/1, 2	00	07	80
	382	00	10	66
	400	00	01	00
	383	00	11	44
	399/1, 2, 6, 8,	00	10	90
	394	00	24	18
	393/1, 2	00	05	20
	392/1	00	04	68
	391	00	04	94
Grand Total		04	14	66

[No. L-14016/3/95 -GP]

ARDHENDU SEN, Director

नई दिल्ली, 23 फरवरी, 1996

का.प्र. 647.—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा-3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.प्र. 2896 तारीख 4-11-95 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन विछाने के लिए अर्जित करने का अपना आणव्य घोषित किया था।

अतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अतः, उक्त अधिनियम की धारा 6 की उपधारा (2) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन विछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड से सभी बाधाओं से मुक्त रूप में आपणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कानावाडा ई. पी. एस. से जी अपार
सीमबामी पाइप लाइन

राज्य : गुजरात

तालुका : मातार

जिला : खेड़ा

ग्राम

क्रम सं.
स्वीकृत.

क्षेत्र

हेक्टेयर क्षेत्र मेट्रिक्स

1	2	3	4	5
सीमबामी	1605	00	17	95
	1608	00	21	84
	1609	00	27	05

1	2	3	4	5	1	2	3	4	5
	1611	00	06	89		321	00	01	32
	1613	00	10	40		322	00	09	86
	1624	00	05	04		323	00	06	50
	1617	00	05	05		बैलगाड़ी मार्ग	00	01	17
	1623	00	13	48		186/2, 3, 5	00	01	56
	1619	00	06	24		318	00	04	29
	1622	00	15	34		311	00	07	28
	1620	00	26	27		307	00	06	24
	1509/1	00	15	08		299	00	05	98
	बैलगाड़ी मार्ग	00	00	65		301	00	02	47
	1587	00	15	73		298	00	00	70
	कच्छा मार्ग	00	01	30		297	00	04	81
	1586	00	29	25		295	00	00	48
	1575	00	36	94		296	00	14	47
	1551	00	19	24		बैलगाड़ी मार्ग	00	00	65
	1552	00	10	92		274/2	00	00	78
	1553	00	10	14		31	00	00	98
	831/1, 2	00	24	44		लीमबासी-मोजिनरा	00	04	88
	1495	00	12	48		रोड			
	1456	00	07	02		126/1, 2, 3, 4	00	13	65
	1451	00	11	96		262	00	06	76
	806/1, 2, 3	00	06	11		125/1, 2, 3	00	12	74
	2570	00	03	90		185	00	08	32
	बैल गाड़ी मार्ग	00	00	52		186	00	00	65
	807/1, 2	00	08	75		जी. ई. घपार	00	04	55
	1425	00	08	84		प्राई. मिमि.			
	1424	00	07	80					
	सब मास्तर	00	01	30					
	697/1	00	07	02		कुल --G9	07	17	89
	बैलगाड़ी मार्ग	00	00	65					
	570	00	22	10					
	382/1, 2, 3	00	19	50					
	577	00	08	32					
	378	00	03	95					
	596	00	03	32					
	485/1, 3	00	16	77					
	486/1, 2, 3	00	04	36					
	374	00	00	84					
	कुल :	04	68	08					
लीमबासी	(बी/एफ)	04	68	08					
	488	00	03	45					
	487/1	00	08	84					
	608	00	05	76					
	270/1, 2, 5	00	16	90					
	632	00	10	92					
	631	00	21	45					
	659	00	04	68					
	660	00	07	80					
	661	00	09	36					
	मतार तारापुर	00	02	99					
	439	00	06	76					
	348	00	07	15					
	207/1, 2	00	12	78					
	345	00	09	88					

[सं. एन-14016/3/95-जी पी]

अर्धेन्दु सेन, निदेशक

New Delhi, the 23rd February, 1996

S.O 647.—whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2896 Dated 4-11-95 under sub-section (1) of section 3 of the petroleum and Minerals Pipelines (Acquisition of Rgh. of Ustr in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline

And, Whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And, Further, whereas the Central Government has, after Considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now, Therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And, Further, in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from Kanawada EPS to GE Apar at Limbasi

State : Gujarat Taluka : Matar Dist : Kheda

Village	Sr. No. Block No.	Area Hac- Are Centiare	3	4	5
1	1	3	4	5	
Limbasi	1605	00	17	94	
	1608	00	21	84	
	1609	00	27	05	
	1611	00	06	89	
	1613	00	10	40	
	1624	00	05	04	
	1617	00	00	48	
	1623	00	13	39	
	1619	00	06	24	
	1622	00	15	34	
	1620	00	26	27	
	1509/1	00	15	08	
	Cart Track	00	00	65	
	1587	00	15	73	
	Kaccha Road	00	01	30	
	1586	00	29	25	
	1575	00	36	94	
	1551	00	19	24	
	1552	00	10	92	
	1553	00	10	14	
	831/1, 2	00	24	44	
	1495	00	12	48	
	1456	00	07	02	
	1451	00	11	96	
	806/1, 2, 3	00	06	11	
	2570	00	03	90	
	Cart Track	00	00	52	
	807/1, 2	00	08	75	
	1425	00	08	84	
	1424	00	07	80	
	Sub Minor	00	01	30	
	697/1	00	07	02	
	Cart Track	00	00	65	
	570	00	22	10	
	382/1, 2, 3	00	19	50	
	577	00	08	32	
	378	00	03	95	
	596	00	01	32	
	485/1, 3	00	16	77	
	486/1, 2, 3	00	04	36	
	374	00	00	84	
	488	00	03	45	
	487/1	00	08	84	
	608	00	05	76	
	270/1, 2, 5	00	16	90	
	632	00	10	92	
	631	00	21	45	
	659	00	04	68	
	660	00	07	80	
	661	00	09	36	
	Matar-Tarapur	00	02	99	
	349	00	06	76	

1	2	3	4	5
	348	00	07	15
	207/1, 2	00	12	78
	345	00	09	88
	321	00	01	32
	322	00	09	86
	323	00	06	50
	Cart Track	00	01	17
	186/2, 3, 5	00	01	56
	318	00	04	29
	311	00	07	28
	307	00	06	24
	299	00	05	98
	301	00	02	47
	298	00	00	70
	297	00	04	81
	295	00	00	48
	296	00	14	47
	Cart Track	00	00	65
	274/2	00	00	78
	31	00	00	98
	Limbasi-Soujitra	00	04	88
	126/1,2,3,4	00	13	65
	262	00	06	76
	125/1,2,3	00	12	74
	185	00	08	32
	186	00	00	65
	Ge. Apar Pvt. Ltd.	00	04	55
Total No. —69	Grand Total	07	17	89

[No. L-14016/3/95-GP]

ARDHENDU SEN, Director.

नई दिल्ली, 23 फरवरी, 1996

का. घा. 078.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय की अधिसूचना का. घा. 1889 तारीख 8/7/95 द्वारा भारत सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित किया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारत सरकार में निहित होने के बजाए भारतीय गैस प्राधिकरण लिमिटेड में सभी बाधाओं से मुक्त रूप में, बोधना के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

नई दिल्ली, 23 फरवरी, 1996

टी प्वाइंट ऑफ सोभासन या. टी. एफ. डेरी लाइन में स्टैंडर्ड

राज्य:—गुजरात	तालुका:—मेहसाणा	जिला:—मेहसाणा
गाँव	क्रम सं. ब्लॉक न.	एरिया
		हेक्टेयर आरे सेंटी आरे
कुकस	289	00 02 31
	283	00 05 31
		00 07 62

[सं. एल.-14016/3/95-जी पी]

अर्द्धेन्दु सेन, निदेशक

New Delhi, the 23rd February, 1996

S.O. 648.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 1889 dated 8-7-95 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

'T' Point of Sobhasan-CTF-Dairy line to Standard

State : Gujarat	Taluka : Mahesana	District : Mahesana
Village	Sr. No. Block No.	Area
		Hectare Are Centiare
Kukas	289	00 02 31
	283	00 05 31
		00 07 62

[No. L-14016/3/95-G.P.]

ARDHENDU SEN, Director

का.आ. 649.—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा की 3 उपधारा की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम एवं प्राकृतिक गैस संश्लेषण की अधिसूचना का.आ. 1890 तारीख 8-7-95 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइन बिछाने के प्रयोजन के लिए अर्जन करने का आना आशय घोषित किया था।

और यतः मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात्, भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः अब उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार तत्पश्चात् घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

अतः इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार ने निहित होने के बजाय भारतीय गैस प्राधिकरण निमिटेड में सभी बाधाओं से मुक्त रूप में बाधाओं के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

सानन्द जी. जी.एस. II से आलागम गिरामिक्स

राज्य : गुजरात		तालुका : कडई	जिला : मेहसाणा	
गाँव	क्रम सं.	ब्लॉक सं.	एरिया	
			हेक्टेयर	आर. सेंटीमिटर
थोल	कच्छा रोड	00	02	40
	1423/1	00	02	41
	1423/2	00	10	60
	1423/3	00	05	07
	1423/4	00	12	61
	1423/5	00	06	05
	नाला	00	02	99
	1423/6	00	09	88
	1423/7	00	15	34
	नाला	00	02	60
	1423/9	00	05	46
	1423/8	00	08	06
	ओ.एन.जी.			
	सी.एल.			
	कच्छा रोड	00	01	30
	1423/10	00	15	00
	1423/11	00	00	02
	1423/12	00	05	75
	1423/13	00	02	68
	1423/14	00	02	66
	1423/15	00	05	24
	1423/17	00	01	50
	1423/16	00	14	83
	1423/18	00	09	69
			01	42
				14

[सं. एल. 14016/3/95-जी.पी.]

अर्द्धेन्दु सेन, निदेशक

New Delhi, the 23rd February 1996

S.O. 649.—whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas, So. 1890 dated 8-7-95 under sub-section (1) of section 3 of the petroleum and Minerals Pipelines (Acquisition of Right of User in Land, Act 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after Considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said land shall instead of vesting in Centre Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Sanand GGS—II to Jalaram Ceramics

State : Gujarat	Taluka : Kadi	District : Mehasana
Village	Sr. No. Block No.	Area
		Hectare Acre Centi are
Thol	Kaccha Road	00 02 40
	1423/1	00 02 41
	1423/2	00 10 60
	1423/3	00 05 07
	1423/4	00 12 61
	1423/5	00 06 05
	Nalla	00 02 99
	1423/6	00 09 88
	1423/7	00 15 34
	Nalla	00 02 60
	1423/9	00 05 46
	14238	00 08 06
	ONGC	
	Kaccha Road	00 01 30
	1423/10	00 15 00
	1423/11	00 00 02
	1423/12	00 05 75
	1423/13	00 02 68
	1423/14	00 02 66
	1423/15	00 05 24
	1423/17	00 01 50
	1423/16	00 14 83
	1423/18	00 09 69
		01 42 14

[No. L-14016/3/95-G.P.]

ARDHENDU SEN, Director

नई दिल्ली, 23 फरवरी, 1996

का.शा. 650:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि ऐम्बिड पोइंट से स्केपर (प्रपोज्ड) स्टेशन तक प्राकृतिक गैस के परिवहन के लिए पाइप लाइन गैस अथॉरिटी ऑफ

इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए। और यतः यह प्रतीत होता है कि ऐसी लाइनों की बिछाने के प्रयोजन के लिए एक्टूअरी अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना प्राथम्य एनदे द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सहमत प्राधिकारी, गैस अथॉरिटी ऑफ इंडिया लिमिटेड, दर्पण बिल्डिंग, आर.सी. दत्त रोड बडोदा, को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा, और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कायम करेगा कि क्या यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची,

(टाइ-इन) बिंद एक्सिसटिंग 8 डाया जॉ/एल

[कराई बट]

राज्य : गुजरात तालुका : दाहकोई जिला : अहमदाबाद

ग्राम	कम रा. ब्लॉक सं.	क्षेत्र	हेक्टेयर	आर	सेंटिआर
कराई]	156	00	39	00	
	132	00	34	20	
	130	00	03	70	
	129	00	03	60	
	133	00	12	15	
कुल योग		00	92	65	

[सं. एल 14016/3/95 जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 23rd February 1996

S.O. 650.—whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural Gas from Exit point to Scraper (proposed) Station in Gujarat Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub section (i) of the Section 3 of the Petroleum and Minerals.. Pipelines (Acquisition of Right of User in the Land) Act 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building, R.C. Dutt Road, Vadodara-390005.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

New Delhi, 23rd February, 1996

TIE-IN WITH EXISTING 8" G/L
(KARAI END)

State : Gujarat Taluka : Daskoi Distt. : Ahmedabad

Village	Sr. No. Block No.	Area		
		Hactare	Are	Centi-Are
Karai	156	00	39	00
	132	00	34	20
	130	00	03	70
	129	00	03	60
	133	00	12	15
Total		00	92	65

Competent Authority Gail, Baroda

[No. L-14016/3/95—G.P.]

ARDHENDU SEN, Director.

नई दिल्ली, 23 फरवरी, 1996

क्र.प्र. 651.—यसः केन्द्रीय सरकार को यह प्रतीत होना है कि लोकहित में यह आवश्यक है कि एग्जिट पोइन्ट हेम स्केपर (प्रमोव्ड) स्टेशन तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन गैस अगारिटी ऑफ इंडिया लिमिटेड द्वारा बिछाई जानी चाहिए। और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अन्न पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने अथवा वास्तव्य एतद्वारा घोषित किया है।

वर्तते कि उक्त भूमि में हितवन्त कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सभा में प्राधिकारी, गैस अगारिटी ऑफ इंडिया लिमिटेड दफ्तर बिल्डिंग, आर.सी. दल रोड, बडोडा को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा, और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हों या किसी विधि व्यवसायी की मार्फत।

अनुसूची

टाइ-इन विथ एक्सिस्टिंग 8" जी/ल (सुघड़ एंड)

ग्राम	क्रम सं. ब्लॉक सं.	क्षेत्र		
		हेक्टेयर	आर	सेंटीआरे
नभोई	15	00	24	60
	09	00	08	20
Total		00	32	80

[सं. एल.-14016/3/95-जी.पी.]

अर्धेन्दु सेन, निदेशक

S.O. 651.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Natural Gas from Exit Point to Scraper (Proposed) Station in Gujarat Pipeline should be laid by the Gas Authority of India Ltd.

AND WHEREAS it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the scheduled annexed hereto ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (i) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

PROVIDED THAT any person interested in the said land may within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd., Darpan Building, R.C. Dutt. Road, Vadodara-390005.

AND every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

TIE-IN WITH EXISTING 8" G/L

(SUGHAD END)

State : Gujarat Taluka : Gandhinagar Distt. Gandhinagar

Village	Sr. No. Block No.	Area		
		Hectare	Are	Centi-Are
Nabhoi	15	00	24	60
	09	00	08	20
Total		00	32	80

Competent Authority Gail, Baroda

[No. L-14016/3/95—G.P.]

ARDHENDU SEN, Director.

नई दिल्ली, 26 फरवरी, 1996

का.आ.सं. 652:- नियमावली 4 के स्पष्टीकरण के अधीन पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम, 1963 के परंतु के अनुसरण में धारा 17 के अधीन पेट्रोलियम तथा खनिज पाइप लाइन (भूमि अर्जन में उपयोगकर्ता का अधिकार) का अधिनियम, 1962 में सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इण्डिया लि. राजमुंद्री के परामर्श से जिनके अधीन में उस क्षेत्र के भूमि का उपयोगकर्ता निहित हो, या उस क्षेत्र में पाइप लाइन के स्वामित्व यथास्थिति निहित हो, एतद्वारा घोषित किया जाता है कि एस.यानम से गुडाला (रीजेंसी मिरामिक) के गैस पाइप लाइन के प्रचालन समाप्ति की तिथि निम्नानुसार परिशिष्ट अनुसूची के स्तंभ 8 में अधिसूचित की गई ।

अनुसूची

आन्ध्र प्रदेश के पूर्वी गोदावरी के एम. यानम से गुडाला गैस पाइप लाइन के नियमावली 4 के अधीन पेट्रोलियम एवं खनिज पाइप लाइन के नियम के अंतर्गत प्रचालन की समाप्ति तिथि के प्रकाशन की अधिसूचना

क्रम सं.	ग्राम का नाम या मंडल देहांत का नाम	उपयोगकर्ता के अधिकार धारा 3(1) के अधीन सूचना	उपयोगकर्ता के अधिकार धारा 6(1) के अधीन सूचना		प्रचालन के समाप्ति तिथि		
			राजपत्र के प्रकाशन की तिथि	क्रम सं. और तिथि			
1	2	3	4	5	6	7	8
1. एस. यानम	उप्पलगुप्तम	09-03-95	170 (इ)	11-11-95	2938	15-12-95	
			02-03-95		26-10-95		
2. चल्लपल्ली	"	"	170 (इ)	"	2938	"	"
			02-03-95		26-10-95		
3. गोपवरम	"	"	170 (इ)	"	2938	"	"
			02-03-95		26-10-95		
4. ताडिकोना	अल्लवरम	09-03-95	171 (इ)	11-11-95	26-10-95		
			02-03-95		26-10-95		
5. गुडाला	"	"	171 (इ)	"	2937		
			02-03-95		26-10-95		
6. देबगुप्तम	"	"	171 (इ)	"	2937		
			02-03-95		26-10-95		

[संख्या एल-14016/18/94-जी.पी.]

अर्थोन्तु में, निदेशक

New Delhi the 26th February, 1996.

S.O. 652.—In pursuance of proviso to rule 4 under explanation of the Petroleum Pipe Lines (Acquisition of Right of User in Land) Rules 1963 framed under section 17 of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in Land) Act 1962, the competent Authority in consultation with the Gas Authority of India Limited, Rajahmundry in whom the right of user in the land in that area has vested or ownership of the pipelines in that area vest as the case may be hereby declares the date of Termination of Operations of Gas pipeline from S. Yanam to Gudala in East Godavari District as noted in column 8 of the schedule appended below.

SCHEDULE

Notification for Publication of Date of Termination of Operations under rule 4 of Petroleum and Minerals Pipe Line Rule in Respect of S. Yanam to Gudala Gas Pipe Line in East Godavari District, Andhra Pradesh

Sl. No.	Name of the Village	Mandal	Notice U/s 3(1) of ROU		Notice U/s 6(1) of ROU		Date of Termination of Operations
			Date of Publication of Gazette	S.O. No. & Date	Date of Publication of Gazette	S.O. No. & Date	
1	2	3	4	5	6	7	8
1.	S. Yanam	Uppalaguptam	09-03-95	170 (E)	11-11-95	2938	15-12-95
				02-03-95		26-10-95	
2.	Challapalli	„	„	170 (E)	„	2938	„
				02-03-95		26-10-95	
3.	Gopavaram	„	„	170 (E)	„	2938	„
				02-03-95		26-10-95	
4.	Tadikona	Allavaram	09-03-95	171 (E)	11-11-95	2937	„
				02-03-95		26-10-95	
5.	Gudala	„	„	171 (E)	„	2937	„
				02-03-95		26-10-95	
6.	Devaguptam	„	„	171 (E)	„	2937	„
				02-03-95		26-10-95	

[No. L-14016/18/94—G.P.]
ARDHENDU SEN, Director

नई दिल्ली, 26 फरवरी, 1996

का.आ. 653:— नियमावली 4 के स्पष्टीकरण के अधीन पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) नियम 1963 के परतु के अनुसरण में धारा 17 के अधीन पेट्रोलियम तथा खनिज पाइप लाइन (भूमि अर्जन में उपयोगकर्ता का अधिकार) का अधिनियम, 1962 में सक्षम प्राधिकारी गैस अथॉरिटी ऑफ इण्डिया लि. राजमुंद्री के परामर्श से जिसके अधीन में उस क्षेत्र के भूमि का उपयोगकर्ता निहित हो, एतद्वारा घोषित किया जाता है कि मंडपेटा में कोडलम्मा चेखु (रीजन्सी सिरामिक) के गैस पाइप लाइन के प्रचालन समाप्ति की तिथि निम्नानुसार परिशिष्ट अनुसूची के स्तंभ 8 में अधिसूचित की गई।

अनुसूची

आन्ध्र प्रदेश के पूर्वी गोदावरी के मंडपेटा से कॉन्डालम्म चेन्नू गैस पाइप लाइन के नियमावली 4 के अधीन पेट्रोलियम एवं खनिज पाइप लाइन के नियम के अंतर्गत प्रचालन की समाप्ति तिथि के प्रकाश की अधिसूचना

क्रम सं.	ग्राम का नाम या मंडल	उपयोगकर्ता के अधिकार धारा 3 (1) के अधीन सूचना	उपयोगकर्ता के अधिकार धारा 6(1) के अधीन सूचना	प्रचालन के समाप्ति तिथि			
1	2	3	4	5	6	7	8
1.	पेड़पल्ली	आलमूर	04-12-93	2618	01-10-94	2556	7-11-95
				17-11-93		12-09-94	
				416 (इ)			
				02-05-95			
2.	पितपल्ली	"	"	2617	"	2555	"
				17-11-93		12-09-94	
3.	अंगरा	कपिलेश्वरपुरम	"	2616	"	2554	
				17-11-93		12-09-94	
4.	वेवुरुमूडी	"	"	2615	"	2553	"
				17-11-93		12-09-94	
5.	नल्लूरु	"	"	2614	"	2552	
				17-11-93		12-9-94	"
6.	कलेरु	"	"	2613	2551	2551	"
				17-11-93		12-09-84	
7.	कूर्मापुरम	रायवरम	"	2608	"	2546	
				17-11-93		12-09-94	
8.	कुरकल्लपल्ली	"	"	2612	"	2550	
				17-11-93		12-09-94	
9.	वेलमपालेम	रामचन्द्रपुरम	"	2611	"	2549	"
				17-11-93		12-9-94	
10.	वेंकटायपालेम	"	"	2610		2548	"
				17-11-93		12-9-94	"
11.	वेगयमपेटा	"	"	2609		2547	
				17-11-93		12-9-94	

[संख्या एल-14016/12/93-जी.पी.]

अर्धेन्दु सेंन, निदेशक

New Delhi, the 26th February, 1996

S.O. 653.—In pursuance of proviso to rule 4 under explanation of the Petroleum Pipe Lines (Acquisition of Right of User in Land) Rules, 1963 framed under section 17 of the Petroleum and Minerals Pipe Lines (Acquisition of Right of User in Land) Act 1962, the Competent Authority in consultation with the Gas Authority of India Limited, Rajahmundry in whom the right of user in the land in that area has vested or ownership of the pipe lines in that area vest as the case may be, hereby declares the date of termination of operation of Gas pipe line from Mandapeta to Kondalamma Cheruvu in East Godavari District as noted in column 8 of the schedule appended below.

SCHEDULE

Notification for Publication of Date of Termination of Operations Under Rule 4 of Petroleum and Minerals Pipe Line Rules in Respect of Mandapeta to Kondalamma Cheruvu Gas Pipe Line in East Godavari District, Andhra Pradesh

Sl. No.	Name of the Village	Mandal	Notice U/s 3(1) of ROU		Notice U/s 6(1) of ROU		Date of Termination of Operations
			Date of Publication of Gazette	S.O. No. & Date	Date of Publication of Gazette	S.O. No. & Date	
1	2	3	4	5	6	7	8
1.	Pedapalla	Alamuru	04-12-93	2618	01-10-94	2556	07-11-95
				17-11-93 416 (E)		12-9-94	
				02-05-95			
2.	Pinapalla	„	„	2617	„	2555	„
				17-11-93		12-9-94	
3.	Angara	Kapileswarapuram	„	2616	„	2554	„
				17-11-93		12-9-94	
4.	Vedurumudi	„	„	2615	„	2553	„
				17-11-93		12-9-94	
5.	Nalluru	„	„	2614	„	2552	„
				17-11-93		12-9-94	
6.	Kaleru	„	„	2613	„	2551	„
				17-11-93		12-9-94	
7.	Kurmapuram	Rayavaram	„	2608	„	2546	„
				17-11-93		12-9-94	
8.	Kurakallapalli	„	„	2612	„	2550	„
				17-11-93		12-9-94	
9.	Velampalem	Ramachandrapuram	„	2611	„	2549	„
				17-11-93		12-9-94	
10.	Venkatayapalem	„	„	2610	„	2548	„
				17-11-93		12-9-94	
11.	Vegayammapeta	„	„	2609	„	2547	„
				17-11-93		12-9-94	

[No. L-14016/12/93-G.P.]

ARDHENDU SEN, Director

रसायन एवं उर्वरक मंत्रालय
(रसायन व पेट्रोकेमिकल विभाग)

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. आ. 657—तारीख 18-11-95 के भारत के राजपत्र में एम ओ नं. 3012 पन्ना नं. 4065 पर कोयली गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम संख्या	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
714/1	00	07	43	

कृपया पढ़ा जाए :

कालम (2)		कालम (3)		
क्रम सं. ब्लाक नं.		हेक्टेयर	आर	सेन्टार
714/1	00	07	33	

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, अवर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. आ. 655—तारीख 18-11-95 के भारत के राजपत्र में एम ओ नं. 3015 पन्ना नं. 4069 पर वांक्ल गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं. ब्लाक नं.		हेक्टेयर	आर	सेन्टार
लक्षकल				

कृपया पढ़ा जाए :

कालम (2)		कालम (3)		
क्रम सं. ब्लाक नं.		हेक्टेयर	आर	सेन्टार
लक्षकल				

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, अवर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. आ. 656—तारीख 18-11-95 के भारत के राजपत्र में एम ओ नं. 3019 पन्ना नं. 4073 पर पावड़ा गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं. ब्लाक नं.		हेक्टेयर	आर	सेन्टार
चापड़ा				

कृपया पढ़ा जाए :

कालम (2)		कालम (3)		
क्रम संख्या ब्लाक नं.		हेक्टेयर	आर	सेन्टार
पावड़ा				

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, अवर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. आ. 657—तारीख 18-11-95 के भारत के राजपत्र में एम ओ नं. 3020 पन्ना नं. 4073 पर दिगलोड गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं. ब्लाक नं.		हेक्टेयर	आर	सेन्टार
दिगलोड				

कृपया पढ़ा जाए :

कालम (2)		कालम (3)		
क्रम सं. ब्लाक नं.		हेक्टेयर	आर	सेन्टार
दिगलोड				

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, अवर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. आ. 658—तारीख 18-11-95 के भारत के राजपत्र में एम ओ नं. 3021 पन्ना नं. 4074 पर अखादर गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं. ब्लाक नं.		हेक्टेयर	आर	सेन्टार
275/5		00	19	23

कृपया पढ़ा जाए :

कालम (2)		कालम (3)		
क्रम संख्या ब्लाक नं.		हेक्टेयर	आर	सेन्टार
275/ए		00	19	23

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, अवर सचिव

Ministry of Chemicals & Fertilizers
(Deptt. of Chemicals & Petrochemicals)

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 658.— In the Gazette of India notification dated 18th Nov., 1995., S.O. No. 3021, printed at page 4075 in respect of village—Aladar.

For the existing entries

Col. (2)

Col. (3)

Sr. No.	Block No.	Hectare	Arc	Centare
	275/5	00	19	23

Please read :

Col. (2)		Col. (3)		
Sr. No.	Block No.	Hectare	Arc	Centare
	275/A	00	19	23

[No. 45011/1/94-US (PC)]
D.P. GOEL, Under Secy.

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. भा. 659.—तारीख 18-11-95 के भारत के राजपत्र में एस ओ नं. 3022 पन्ना नं. 4076 पर ऊच्छव गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी गई वर्तमान प्रविष्टियों के लिए

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	1247	00	02	43
	1246	07	07	07
	1027	04	04	70

कृपया पढ़ा जाए:

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	1247	00	02	48
	1246	00	07	80
	1027	00	04	70

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, प्रवर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. भा. 660.—तारीख 18-11-95 के भारत के राजपत्र में एस ओ नं. 3023 पन्ना नं. 4078 पर धनखी गांव के लिए प्रकाशित अधिसूचना में नीचे लिखी गई वर्तमान प्रविष्टियों के लिए

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	1085	50	12	87
	1450	00	03	50

कृपया पढ़ा जाए:

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	1085	00	12	87
	1450	00	03	30

[सं. 45011/1/94-यू.एस.(पी सी)]

धर्मपाल गोयल, प्रवर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. भा. 661.—तारीख 18-11-95 के भारत के राजपत्र में एस ओ नं. 3046 पन्ना नं. 4122 पर पावरिया गांव के लिए प्रकाशित अधिसूचना में नीचे लिखी गई वर्तमान प्रविष्टियों के लिए

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	13	00	30	45

कृपया पढ़ा जाए:

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	13	00	00	40

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, प्रवर सचिव

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 662.—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3047, printed at page 4124 in respect of village - Panlyadra.

For the existing entries

Col. (2)	Col. (3)
Sr. No. Block No.	Hectare Are Centare
178/P	00 87 04

Please read :

Col. (2)	Col. (3)
Sr. No. Block No.	Hectare Are Centare
178/P	00 07 04

[No. 45011/1/94-US (PC)]

D.P. GOEL, Under Secy.

शुद्धि पत्र

नई दिल्ली, 27 फरवरी 1996

का. भा. 663.—तारीख 18-11-95 के भारत के राजपत्र में एस ओ नं. 3048 पन्ना नं. 4125 पर रोसा टेंकारिया गांव के लिए प्रकाशित अधिसूचना : नीचे लिखी गई वर्तमान प्रविष्टियों के लिए

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	879	00	14	30
	862ए एंड जी	00	08	88
	862ए एंड जी	00	43	00

कृपया पढ़ा जाए:

क्रम सं.	ब्लाक नं.	हेक्टेयर	घर	सेन्टार
	कालम (2)	कालम (3)		
	एल पी जी रिकवरी प्लान्ट सी पी एक लार्स	00	04	30
	879	00	08	38
	862/ए एंड जी	00	4	00

[सं. 45011/1/94-यू एस (पी सी)]

धर्मपाल गोयल, प्रवर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

क्र.भा. 644.—सारीख 18-11-95 के भारत के राजपत्र में एस. ओ. नं. 3049 पन्ना नं. 4127-4128 पर दहेज गांव के लिए प्रकाशित अधिसूचना : नीचे लिखी वर्तमान प्रविष्टियां के लिए

कालम (2)

कालम (3)

क्रम सं.	ब्लॉक नं.	हेक्टेयर और सेंटार
929	00	80 95
194/जी	00	25 80
कृपया पढ़ा जाए :		
कालम (2)		कालम (3)
क्रम सं.	ब्लॉक नं.	हेक्टेयर और सेंटार
929	01	80 95
194/बी	00	25 80

[सं० 05011/1/9/यू एस (पीसी)]

धर्मपाल गोयल, अवर सचिव

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 664.—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3049, printed at page 4128 in respect of village — Dahej.

For the existing entries

Col. (2)

Col. (3)

Sr. No.	Block No.	Hectare	Are	Centare
	929	00	80	95
Please read :				
	Col. (2)		Col. (3)	
Sr. No.	Block No.	Hectare	Are	Centare
	929	01	80	95

[No. 45011/1/94-US (PC)]

D.P. GOEL, Under Secy.

शुद्धि-पत्र

नई दिल्ली, 27 फरवरी 1996

क्र.भा. 665.—सारीख 18-11-95 के भारत के राजपत्र में एस. ओ. नं. 3050 पन्ना नं. 4130 पर बाधवेल गांव के लिए प्रकाशित अधिसूचना नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)

कालम (3)

क्रम सं.	ब्लॉक सं.	हेक्टेयर और सेंटार
1664	00	07 29
कृपया पढ़ा जाए :		
कालम (2)		कालम (3)
क्रम सं.	ब्लॉक नं.	हेक्टेयर और सेंटार
1264	00	07 29

[सं. 45011/1/94-यू एस (पीसी)]

धर्मपाल गोयल, अवर सचिव

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 666.—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3023, printed at page 4079 in respect of village — Ankhi.

For the existing entries

Col. (2)

Col. (3)

Sr. No.	Block No.	Hectare	Are	Centare
	1070	00	04	20
	1432	00	16	30
	1431	00	06	05
	27	00	07	50

Please read :

Col. (2)

Col. (3)

Sr. No.	Block No.	Hectare	Are	Centare
	1090	00	04	20
	1432	00	16	35
	1431	00	06	00
	29	00	07	50

[No. 45011/1/94-US (PC)]

D.P. GOEL, Under Secy.

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 667.—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3024, printed at page 4081 in respect of village — Gajera.

For the existing entries.

Col. (2)

Col. (3)

Sr. No.	Block No.	Hectare	Are	Centare
	1577	00	13	00
	1579	00	05	75

Please read :

Col. (2)

Col. (3)

Sr.No.	Block No.	Hectare	Are	Centare
	1579	00	13	00
	1578	00	05	75

[No. 45011/1/94-US (PC)]

D.P. GOEL, Under Secy.

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. भा. 668.—तारीख 18-11-95 के भारत के राजपत्र में एम. ओ. नं. 3025 पन्ना नं. 4082 पर पीलुदरा गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियां के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर	सेन्टार
254/ए एंड सी		00	17	80
627/ए एंड सी		00	37	24
594/ए एंड सी		00	01	00
553/ए एंड सी		00	19	03
418/ए एंड सी		00	09	55
432/ए एंड सी		00	02	37
433/ए एंड सी		00	02	70
436/ए एंड सी		00	00	40
पीलुदरा		—	—	—

कृपया पढ़ा जाए :

कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर	सेन्टार
254/ए एंड बी		00	17	80
627/ए एंड बी		00	37	24
594/ए एंड बी		00	01	00
553/ए एंड बी		00	19	03
418/ए एंड बी		00	02	55
432/ए एंड बी		00	09	37
433/ए एंड बी		00	02	70
436/ए एंड बी		00	00	40
पीलुदरा		—	—	—

[सं. 45011/1/94-यू एस (पी सी)]

धर्म पाल गोयल, अधवर सचिव

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 669:—In the Gazette of India, notification dated 18th Nov., 1995, S.O. N. 3039, printed at page 4110 in respect of village—Mujpur.

for the existing entries

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Arc	Centare
Cart Track	00	01	90
821/1	00	15	11
654/A	00	14	80
Please read :			
Col. (2)		Col. (3)	
Sr. No. Block No.	Hectare	Arc	Centare
Cart Track	00	01	90
821/B	00	15	11
654/B	00	14	80

[No. 45011/1/94—US (PC)]

D.P. GOEL, Under Secy.

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 670:—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3040, printed at page 4112 in respect of village—Ekalbara.

For the existing entries

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Arc	Centare
Cart Track	00	02	80
81	00	03	60
Please read :			
Col. (2)		Col. (3)	
Sr. No. Block No.	Hectare	Ar	Centare
Cart Track	00	02	90
81	00	04	60

[No. 45011/1/94—US (PC)]

D.P. GOEL, Under Secy.

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 671:—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3043, printed at page 4117 in respect of village—Jaspur.

For the existing entries

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Arc	Centare
664	00	31	35
Please read :			
Col. (2)		Col. (3)	
Sr. No. Block No.	Hectare	Arc	Centare
664	00	39	35

[No. 45011/1/94—US (PC)]

D.P. GOEL, Under Secy.

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. भा. 672.—तारीख 18-11-95 के भारत के राजपत्र में एम. ओ. नं. 3045 पन्ना नं. 4120 पर शेरखी गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर	सेन्टार
26/ए एंड बी		00	14	00
कृपया पढ़ा जाए :				
कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर	सेन्टार
126/ए एंड बी		00	14	00

[सं. 45011/1/94-यू एस (पी सी)]

धर्म पाल गोयल, अधवर सचिव

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 673:—In the Gazette of India, notification dated 18th Nov. 1995 S. O. No. 3015, printed at page 4121 in respect of village—Serkhi.

For the existing entries

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Are	Centare
125/1 A&B	00	13	40

Please read :

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Are	Centare
125/2 A&B	00	13	40

[No. 45011/1/94-US (PC)]

D.P. GOEL, Under Secy.

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 674:—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3026, printed at page 4085 in respect of village—Kadodara.

For the existing entries

Col. (2)

Col. (3)

Sr. o. Block No.	Hectare	Aze	Centare
694	00	50	63
658	09	10	90

Please read :

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Are	Centare
694	00	05	63
658	00	10	90

[No. 45011/1/94-US (PC)]

D. P. GOELK, UnSer Secy.

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

क्र. आ. 675:—तारीख 18-11-95 के भारत के राजपत्र में एस ओ नं. 3027 पन्ना 4085 पर झाड़ूधवसी गाँव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
175		00	03	60
176		00	23	45
707		00	00	42

कृपया पढ़ा जाए :

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
174		00	03	60
175		00	23	45
707		00	00	42

[सं. 45011/1/94-यू एस (पी सी)]

धर्म पाल गोयल, अधीक्षक सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

क्र. आ. 676:—तारीख 18-11-95 के भारत के राजपत्र में एस ओ नं. 3030 पन्ना नं. 4091 पर मांगरोल गाँव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
788		00	52	60

कृपया पढ़ा जाए :

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
788		00	02	60

[सं. 45011/1/94-यू एस (पी सी)]

धर्म पाल गोयल, अधीक्षक सचिव

CORRIGENDUM

New Delhi, the 27th February, 1996

S.O. 677:—In the Gazette of India, notification dated 18th Nov., 1995, S.O. No. 3031, printed at page 4094-95 in respect of village—Khanpur Doh

For the existing entries

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Are	Centare
479	00	01	7
729	00	01	29
922	00	07	00
1121	00	02	25

Please read :

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Are	Centare
479	00	01	27
729	00	01	28
962	00	07	00
1151	00	02	25

[No. 45011/1/94 US (PC)]

D.P. GOEL, Under Secy.

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. ग्रा. 678.—तारीख 18-11-95 के भारत के राजपत्र में एम.ओ.नं. 3031 पन्ना नं. 4093 पर खानपुरदेह गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	632	00	03	10

कृपया पढ़ा जाए :

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	632	00	01	10

[सं. 45011/1/94-यू.एस (पी सी)]

धर्म पाल गोयल, अधिवक्ता

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. ग्रा. 679.—तारीख 18-11-95 के भारत के राजपत्र में एम.ओ.नं. 3033 पन्ना नं. 4097 पर महापुरा गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	99	99	08	10

कृपया पढ़ा जाए :

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	99	00	08	10

[सं. 45011/1/94-यू.एस (पी सी)]

धर्म पाल गोयल, अधिवक्ता

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. ग्रा. 680.—तारीख 18-11-95 के भारत के राजपत्र में एम.ओ.नं. 3034 पन्ना नं. 4099 पर मगनाद गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	1201	03	03	36
	मगनाद	—	—	—

कृपया पढ़ा जाए :

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	1201	00	03	36
	मगनाद	—	—	—

[सं. 45011/1/94-यू.एस (पी सी)]

धर्म पाल गोयल, अधिवक्ता

CORRIGENDYM

New Delhi, the 27th February, 1996

S.O. 681:—In the Gazette of India notification dated 18th Nov., 1995, S.O. No. 3034, printed at page 4100 in respect of village—Magnad.

For the existing entries

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Are	Centare
1742	00	14	90

Please read :

Col. (2)

Col. (3)

Sr. No. Block No.	Hectare	Aze	Centare
1472	00	14	90

[No. 45011/1/94-US (PC)]
D.P. GOEL, Under Secy.

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

का. ग्रा. 682.—तारीख 18-11-95 के भारत के राजपत्र में एम.ओ.नं. 3035 पन्ना नं. 4100 पर करखड़ी गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	करखड़ी	—	—	—
	819/ए	12	00	80
	381/ए	07	07	35

कृपया पढ़ा जाए

कालम (2)

कालम (3)

क्रम सं.	ब्लाक नं.	हेक्टेयर	आर	सेन्टार
	करखड़ी	—	—	—
	819/ए	00	12	80
	381/ए	00	07	35

[सं. 45011/1/94-यू.एस (पी सी)]

धर्म पाल गोयल, अधिवक्ता

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

क्र. आ. 683---तारीख 18-11-95 के भारत के राजपत्र में एम.ओ.नं. 3036 पन्ना नं. 4103 पर चोकारी गांव के लिए प्रकाशित अधिसूचना :

नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टार
	307	00	13	90
	312	90	00	95
	217	00	00	30
कृपया पढ़ा जाए :				
कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टार
	307	00	03	95
	312	00	00	95
	217	00	00	80

[सं. 45011/1/94-म एम (पी. मो.)]

धर्म पाल गोयल, अथर सचिव

शुद्धि पत्र

नई दिल्ली, 27 फरवरी, 1996

क्र. आ. 684---तारीख 18/11/95 के भारत के राजपत्र में एम.ओ.नं. 3039 पन्ना नं. 4108-4109 पर मूजपुर गांव के लिए प्रकाशित अधिसूचना : नीचे लिखी वर्तमान प्रविष्टियों के लिए

कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टार
	1127/बी	00	12	00
	1122/बी	00	03	50
	986/बी	00	00	07
	990/बी	00	01	44
	991/बी	00	02	85
	कार्ट ट्रैक	01	01	50
कृपया पढ़ा जाए :				
कालम (2)		कालम (3)		
क्रम सं.	ब्लॉक नं.	हेक्टेयर	आर.	सेन्टार
	1127/बी	00	12	00
	1122/बी	00	03	50
	986/बी	00	00	07
	990/बी	00	01	44
	991/बी	00	02	85
	कार्ट ट्रैक	00	01	50

[सं. 45011/1/94-म एम (पी. मो.)]

धर्म पाल गोयल, अथर सचिव

पर्यावरण और वन मंत्रालय

नई दिल्ली, 23 फरवरी, 1996

क्र. आ. 685---जीवजन्तु कृता निवारण अधिनियम, 1960 (1960 का 59) की धारा 15 की उप-धारा (1) और (2) के द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार इस बात से संतुष्ट होने पर कि जीवजन्तुओं पर प्रयोगों के नियंत्रण और पर्यावरण के लिए यह आवश्यक है तथा भारतीय जीवजन्तु कल्याण बोर्ड की मताह पर एतद्-द्वारा जीवजन्तुओं पर परीक्षण के नियंत्रण और पर्यावरण के लिए समिति का, सरकारी राजपत्र में इस अधिसूचना के प्रकाशन की तिथि से, गठन करना है जिसमें निम्नलिखित सदस्य हैं---

1. सुश्री मेतका गार्गी, सदस्य
ए-4, महाराजी बाग,
नई दिल्ली
2. महानिरीक्षक,
भारतीय चिकित्सा अनुसंधान परिषद्,
श्रीमारी नगर, नई दिल्ली 110029 सदस्य
3. सचिव,
जैव प्रौद्योगिकी विभाग,
ब्लॉक 2, केन्द्रीय कार्यालय परिसर,
लोदी रोड, नई दिल्ली 110003 सदस्य
4. सचिव, शिक्षा विभाग,
मानव संसाधन मंत्रालय,
शान्ती भवन, नई दिल्ली 110011 सदस्य
5. भारतीय औषध नियंत्रक,
स्वास्थ्य और परिवार कल्याण मंत्रालय,
निर्माण भवन, नई दिल्ली 110001 सदस्य
6. निदेशक,
भारतीय पशु चिकित्सा अनुसंधान संस्थान,
इज्जत नगर, बरेली, उत्तर प्रदेश सदस्य
7. निदेशक,
केन्द्रीय औषध अनुसंधान संस्थान,
छत्तर मंजिल, उत्तर प्रदेश सदस्य
8. महानिदेशक, स्वास्थ्य सेवाएं,
स्वास्थ्य और परिवार कल्याण मंत्रालय,
निर्माण भवन, नई दिल्ली 110011 सदस्य
9. अध्यक्ष
भारतीय जीव जन्तु कल्याण बोर्ड,
सं. 7, मेकण्ड काम स्ट्रीट, बीनस कालोनी,
अलवररोड, मद्रास 600018 सदस्य
10. अथर वन महानिरीक्षक (वन्यजीव),
पर्यावरण और वन मंत्रालय,
पर्यावरण भवन, पी. जी. ओ. कामपैकम
लोदी रोड, नई दिल्ली-110003 सदस्य
11. डा. पी. टी. सुरेश,
प्रभारी एनीमल हाऊस,
रेल्वे इंडिया लि.,
रेल्वे एपोकैमिकल्स रिसर्च स्टेशन,
प्लॉट नं. 21 और 22,
पी. बा. नं. 5813,
फेमना, पीप्ला औद्योगिक क्षेत्र,
यगलौर-560058 सदस्य

12. विशेष सचिव, राष्ट्रीय सूचना केन्द्र, ए ब्लॉक, सी. जी. ओ. कॉम्प्लेक्स, लोदी रोड, नई दिल्ली 110003	सदस्य	3. Secretary, Department of Biotechnology, Block 2, C.G.O. Complex, Lodi Road, New Delhi 110003.	Member
13. निदेशक, अखिल भारतीय आयुर्विज्ञान संस्थान, अंसारी नगर, नई दिल्ली 110029	सदस्य	4. Secretary, Department of Education, Ministry of Human Resources, Shastri Bhavan, New Delhi 110001.	Member
14. श्री चिन्ती कृष्णा, उपाध्यक्ष, ब्लू क्रॉस आफ इंडिया, नं. 1 ए, एल्डमस रोड, मद्रास 600018	सदस्य	5. Drug Controller of India, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi 110011.	Member
15. डा. के. आर. भारद्वाज, मन्नाहवाग, केन्द्रीय औषध अनुसंधान संस्थान, लखनऊ, उत्तर प्रदेश	सदस्य	6. Director, Indian Veterinary Research Institute, Izat Nagar, Baroilly, Uttar Pradesh.	Member
16. श्री एम. सी. पाठक, ब्लू क्रॉस सोसायटी, असम, गुवाहाटी	सदस्य	7. Director, Central Drug Research Institute, Chatter Manzil, Lucknow, Uttar Pradesh.	Member
17. निदेशक (जीव जन्तु कल्याण) पर्यावरण और वन मंत्रालय, नई दिल्ली	सदस्य सचिव	8. Director General, Health Services, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi-110011.	Member
		9. Chairman, Animal Welfare Board of India No. 7, Second Cross Street, Venus Colony, Alwarpet, Madras-600018.	Member
		10. Addl. Inspector General of Forests (WL), Ministry of Environment and Forest, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi-110003.	Member
		11. Dr. T.P. Suresh, Incharge, Animal House Rallis India Ltd, Rallis Agrochemical Research Station, Plot No. 21 & 22, Post Box No. 5813, II Phase, Peenya Industrial Area, Bangalore-560058.	Member

2. केन्द्रीय सरकार एम्बू द्वारा सुश्री मेनका गांधी, सदस्य को उक्त अधिनियम की धारा 15 की उपधारा (2) के अनुसार समिति का अध्यक्ष नामित करती है,

3. समिति का कार्यकाल, जबकि पहले भंग न कर दी जाए, इसके गठन की तारीख से 4 (चार) वर्ष होगा।

[मि. सं. 7-7/94 ए. डब्ल्यू]

सर्वेक्षक शा, संयुक्त सचिव

टिप्पणी:—जीवजन्तुओं पर प्रयोग के नियंत्रण और पर्यवेक्षण के प्रयोजन से समिति के संबंध में निम्नलिखित अधिसूचनाएं पहले जारी की गई थी:—

- (1) सं. सा. का. नि. 238 दिनांक 8-2-1991
- (2) सं. 26-162/90-ए. डब्ल्यू (II) दिनांक 17-1-1992
- (3) सं. 7-7/94-ए. डब्ल्यू दिनांक 23-11-1994

MINISTRY OF ENVIRONMENT AND FORESTS

New Delhi, the 23 February, 1996

S.O. 685.—In exercise of the powers conferred by sub-sections (1) and (2) of section 15 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) the Central Government, on being satisfied that it is necessary for the purpose of controlling and supervising experiments on animals, and on the advice of the Animal Welfare Board of India, hereby constitutes a Committee consisting of following persons as its members, with effect from the date of publication of this notification in the Official Gazette, namely:—

1. Ms. Maneka Gandhi, Member
A-4, Maharani Bagh,
New Delhi.
2. Director General, Member
Indian Council of Medical Research,
Ansari Nagar, New Delhi-110029.

12. Special Secretary, Member
National Information Centre,
A-Block, C.G.O. Complex,
Lodi Road,
New Delhi, 110003.
13. Director, Member
All India Institute of Medical Sciences,
Ansari Nagar,
New Delhi 110029.
14. Shri Chinni Krishna, Vice Chairman, Member
Blue Cross of India,
No. 1-A, Eldams Road, Madras-600018.
15. Dr. K.R. Bhardwaj, Consultant, Member
Central Drug Research Institute,
Lucknow, Uttar Pradesh.
16. Shri S.C. Pathak, Member
(Blue Cross Society),
Department of Surgery & Radiology,
Faculty of Veterinary Science,
Assam Agricultural University,
Khanapara, Guwahati,
Assam-781022.
17. Director (Animal Welfare) Member Secretary
Ministry of Environment and Forests,
New Delhi.

2. The Central Government hereby nominates Ms. Maneka Gandhi, Member to be the Chairperson of the Committee as per sub-section (2) of section 15 of the said Act.

3. The term of the Committee shall, unless sooner dissolved, be 4 (four) years from the date of its constitution.

[F. No. 7-7/94-AW]
SARWESHWAR JHA, Jt. Secy.

Note:—The following notifications were issued earlier in relation to the Committee for the purpose of Control and Supervision of experiments on Animals :—

- (1) number G.S.R. 238 dated 8-2-1991
- (2) number 26-162/90-AW(II) dated 17-1-1992
- (3) number 7-7/94-AW dated 22-11-1994.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 3 जनवरी, 1996

का.आ. 686.—चलचित्रिकी (प्रमाणन) नियम, 1983 के नियम 7 व 8 के साथ पठित चलचित्रिकी अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) में प्रदत्त शक्तियों का उपयोग करते हुए तथा इस मंत्रालय की दिनांक 26-9-95 की अधिसूचना संख्या 813/5/95-एफ (सी) के अनुक्रम में केन्द्र सरकार, स्वामी दिव्यानन्द की केन्द्रीय फिल्म प्रमाणन बोर्ड के दिल्ली सलाहकार पैनल में तत्काल प्रभाव से तथा अगले आदेशों तक नियुक्त करती है।

[फाइल संख्या 813/5/95-एफ. (सी)]

आर. सी. शहादपुरी, डेस्क अधिकारी

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 3rd January, 1996

S.O. 686.—In exercise of the powers conferred by sub-section (1) of section 5 of the Cinematograph Act, 1952 (37 of 1952), read with rules 7 and 8 of the cinematograph (Certification) Rules, 1983 and in continuation of this Ministry's Notification No. 813/5/95-F(C) dated 26-9-95, the Central Government is pleased to appoint Swami Divya Nand as a Member of the Delhi Advisory Panel of the Central Board of Film Certification with immediate effect and until further orders.

[File No. 813/5/95-F(C)]
R. C. SHAHDADPURI, Desk Officer

श्रम मंत्रालय

नई दिल्ली, 9 फरवरी, 1996

का.आ. 687.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी एम पी डी आई एल के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं. 2 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6/2/96 को प्राप्त हुआ था।

[सं.एल. 24012/27/86-डी-IV (बी)]
राजालाल, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 9th February, 1996

S.O. 687.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Dhanbad No. 2 as shown in the Annexure in the industrial dispute between the employers in relation to the management of C.M.P.D.I. Ltd. and their workmen which was received by the Central Government on 6-2-1996.

[No. L-24012/27/86-D.IV (B)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri D. K. Nayak, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

Reference No. 331 of 1986

PARTIES :

Employers in relation to the management of Central Mine Planning and Design Institute Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen—None.

On behalf of the employers—None.

STATE : Bihar INDUSTRY : Research Institute
Dhanbad, the 31st January, 1996

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L 24012/27/86-D.IV (B), dated, the 31st October, 1986

SCHEDULE

"Whether the action of the management of C.M.P.D.I. Barkakana Area, P.O. Barakakana Dist. Hazaribagh in denying promotion to S/Shri L. Roy, B. Jha and Anayat Hussain as Asstt. Store Keeper/LDC, when their junior Shri R. S. Gupta has been promoted as LDC by making discrimination, is legal and justified? If not, to what relief are the concerned workmen entitled?"

2. In this case none of the parties appeared nor took any steps. Thereafter several notices were also issued. But in spite of the issuance of notices to them none of them appeared. It therefore, leads me to an inference that there is no dispute existing between the parties at present and in the circumstances I am constrained to pass a 'No dispute' Award.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 9 फरवरी, 1996

का.आ. 688.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस ई सी एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6/2/96 को प्राप्त हुआ था।

[सं. एल-24012/349/89-आई आर (सी-II)]
राजालाल, डेस्क अधिकारी

New Delhi, the 9th February, 1996

S.O. 688.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.E.C. Ltd. and their workmen, which was received by the Central Government on 6-2-1996

[No. L-22012/349/89-IR (C-II)]

RAJA LAL, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

Case Ref. No. CGIT/LC(R)(100)/1990

BETWEEN

Shri Bharan Ram (Ex-Security Guard), Gram : Rajapur,
Post Sukheri, District Surguja (MP).

AND

The Additional Chief Mining Engineer, Bismampur Sub-Area (Bismampur Group of Mines), Post Bismampur Colliery, Distt. Surguja (MP)-497226.

PRESIDED IN :

By Shri Arvind Kumar Awasthy.

APPEARANCES :

For Workman—Shri R. C. Srivastava, Advocate.

For Management—Shri R. Menon, Advocate.

INDUSTRY : Coal Mines DISTRICT : Surguja (MP)

AWARD

Dated, the 24th January, 1996

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012/349/89-IR (Coal-II) dated 5-4-1990, for adjudication of the following industrial dispute :—

SCHEDULE

"Whether the action of the management of Bismampur Group of Mines of M/s. S.E.C. Ltd. in dismissing their workman Sri Bharan Ram, Security Guard from service w.e.f. 31-8-88, is legal and justified? If not, to what relief the workman concerned is entitled?"

2. Admitted facts of the case are that the workman, Shri Bharan Ram, was working as Security Guard in Bismampur Colliery of S.E.C. Ltd. The chargesheet dated 16-10-1986 was served on the workman on the allegation that on 15-10-1986 while the workman was on duty in the third shift in Magazine Section, the lock of Magazine No. 2 was cut, opened and sealing arrangement was displaced and ten cases of explosives were stolen from the Magazine. It is also a common ground that along with the workman, Bharan Ram, one Indra Narain Tripathy was posted as Security Guards at the time of the alleged theft and after the joint enquiry against both the workmen the penalty of dismissal from service was imposed on the workmen.

3. The case of the workman is that the charges levelled against the workman were vague and the Enquiry Officer has acted as a prosecutor; that the finding of the Enquiry Officer was perverse. The workman has prayed for reinstatement with full back wages.

4. The case of the workman is that the workman has admitted that ten cases of explosives were stolen by breaking the lock; that during the enquiry opportunity to defend the case was provided to the workman; that the finding of the Enquiry Officer is in accordance with the evidence on record and in view of the seriousness of the charges, the workman was dismissed from the service.

5. Following are the issues in the case :

ISSUES

1. Whether the enquiry is just, proper and legal?
2. Whether the management is entitled to lead evidence before this Tribunal?
3. Whether the charges of misconduct are proved on the facts of the case?
4. Whether the punishment awarded is proper and legal?
5. Relief and costs.

6. Issue No. 1 and 2.—These Issues No. 1 and 2 were answered in favour of the management vide order dated 10-7-1995.

7. Issues No. 3 and 4.—Management witness has clearly stated that the workman Bharan Ram and Indra Narain Tripathy, both Armed Guards, were on duty on 15/16-10-1986 in the Magazine Section of the Colliery and that ten cases of the explosives were stolen by breaking the lock and seals were tampered. The workman has not asked a single question in the cross examination of the management witness to provide the explanation of the alleged theft of very sensitive explosive material from the Magazine Section. The workman has not examined any witness in his defence. The workman has given in writing that about 8 or 9 persons entered into the Magazine Section and ten cases of Magazine were taken away by them; that the culprits were chased by the workmen, but they escaped. The defence story was examined by the officer of the management and it was found false. However, the alleged story of the workman of the commission of the theft by 8 or 9 persons was not put in during the departmental enquiry. The workmen remained silent about their defence in the departmental enquiry. It was the duty of the Security Guards to see that the theft was not committed in the Magazine Section and as such it was incumbent on the workman to explain the manner of commission of theft by breaking the locks and tampering of seals during their duty hours. The loss of confidence by the management on such workmen is genuine. The finding of the Enquiry Officer is based on the evidence on record. The finding of the Enquiry Officer and the punishment of dismissal of the workmen is, therefore, held just, proper and legal. Issue No. 3 and 4 are answered in favour of the management.

8. Issue No. 5.—The action of the management in dismissing Shri Bharan Ram, the workman concerned, from the service is legal and justified. Reference is answered in favour of the management. Parties to bear their own costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 9 फरवरी, 1996

का.प्र. 689.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एन ई सी एल के प्रबंधन के संबंध में निदेशों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई नं. 2 के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6/2/96 को प्राप्त हुआ था।

[सं. एल-22012/343/93-आईआर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 9th February, 1996

S.O. 689.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay No. 2 as shown in the Annexure in the industrial dispute between the employers in relation to the management of S.E.C. Ltd. and their workmen, which was received by the Central Government on 6-2-1996.

[No. L-22012/343/93-IR.C-II]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer,
Reference No. CGIT-2/19 of 1994
Employers in relation to the management of Churcha
Colliery of SECL.

AND

Their Workmen.

APPEARANCES :

For the Workmen : No appearance.
For the Employer : No appearance.
Mumbai, the 29th January, 1996
AWARD

The Government of India, Ministry of Labour by its order
No. L-22012/343/93-IR(C-II) dated 16-2-1994 had referred
to the following Industrial Dispute for adjudication :

"Whether the action of Dy. Chief Mining Engineer,
Churcha Colliery in altering the conditions of ser-
vices of Sri Rajjan Ram S/o Dasrath from piece
rated loader to Cat. I workman/mazdoor at Churcha
Colliery w.e.f. 1-1-1990 is legal and justified? If
not, to what relief the workman is entitled to?"

2. The Government send copy of the order to the con-
cerned parties. After receipt of the order the Secretary to
the Tribunal had also issued a notice to the concerned parties
to file their say in the matter. But no say was filed even
through the parties were duly served.

3. Ultimately on 1-12-1995 a notice was again send to the
concerned parties to file their claim in the matter on 29-1-95
failing which the matter will be decided ex-parte. Again
the parties were duly served. But no claim was filed by
either of the parties. Hence I pass the following Order :

ORDER

1. The reference is disposed off for want of prosecution.
2. The action of the Dy. Chief Mining Engineer, Churcha
Colliery in altering the conditions of Shri Rajjan
Ram S/o Dasrath from piece rated loader to Cat. I
workman/mazdoor at Churcha Colliery w.e.f.
1-1-1990 is legal and justified.

S. B. PANSE, Presiding Officer

नई दिल्ली, 9 फरवरी, 1996

का.प्र. 690.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय
सरकार एन ई सी एल के प्रबंधन के संबंध नियोजकों
और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक
विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर
के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को
6-2-96 को प्राप्त हुआ था।

[सं. एन-22012/222/92-आईआर(सी-II)]

राजानाल, डेस्क अधिकारी

New Delhi, the 9th February, 1996

S.O. 690—In pursuance of Section 17 of the Industrial
Disputes Act, 1947 (14 of 1947), the Central Government
hereby publishes the award of the Central Government In-
dustrial Tribunal Jabalpur as shown in the Annexure in the

Industrial dispute between the employers in relation to the
management of S.E.C. Ltd. and their workman, which was
received by the Government on the 6-2-96.

[No. L-22012/222/92 IR CII]

RAJA LAL, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)
CASE REF. No. CGIT(LC(R)(245))1992

BETWEEN

Shri Babloo S o Budhoo represented through the Secre-
tary, M.P. Koyla Shramik Sangh (CITUO Sohagpur,
Area, Dhanpuri, P.O. Dhanpur, District Shahdol
(MP).

AND

The General Manager, Sohagpur Area, S.E.C.L. P.O.
Dhanpuri, District Shahdol (MP).

PRESIDED IN :

By Shri Arvind Kumar Awasthy.

Dated, January 30, 1996

APPEARANCES :

For workman : None.
For management : Shri Mukhyopadhyaya.

INDUSTRY : Coal Mines, DISTRICT : Shahdol (MP).

AWARD

This is a reference made by the Central Government.
Ministry of Labour, New Delhi, vide its Notification No.
L-22012/222/92-IR(C-II) Dated 2-12-1992, for adjudication
of the following industrial dispute :

SCHEDULE

"Whether the action of the General Manager, Sohagpur
Area of S.E.C. Ltd., in not giving employment to
Shri Babloo S/o Budhoo even after interviewing,
medically examining and imparting vocational train-
ing to him is legal and justified? If not, to what
relief is Shri Babloo entitled to?"

2. The workman has not filed the statement of claim
Management has prayed to pass no dispute award as the
workman was not appearing. It is clear from the order
sheet that the workman is not interested in pursuing the
reference. No dispute award is hereby passed. No order as
to costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 12 फरवरी, 1996

का.प्र. 691.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार
एल आई सी ऑफ इंडिया के प्रबंधन के संबंध नियोजकों
और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक
विवाद में, औद्योगिक अधिकरण, हैदराबाद के पंचपट को
प्रकाशित करती है जो केन्द्रीय सरकार को 9-2-96 को
प्राप्त हुआ था।

[सं. एन-17012/08/93/आई.आर.बी-2]

वी०के० शर्मा, डेस्क अधिकारी

New Delhi, the 12th February, 1996

S.O. 691.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of L.I.C. of India and their workmen, which was received by the Central Government on the 9th February, 1996.

[No. L-17012/08/93-I.R.(B II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri A. Hanumanthu, M.A., I.L.B., Industrial Tribunal-I.
Dated, the 5th day of December, 1995
Industrial Dispute No. 34 of 1993

BETWEEN :

K. V. Ramachandra Reddy,
S/o K. Sudarshan Reddy, Age 32 years,
R/o 10-4/1, Dwarkapuram,
Dilsuknagar, Hyderabad. ... Petitioner.

AND

The Life Insurance Corporation of India,
represented by its Sr. Divisional Manager,
Machilipatnam. ... Respondent.

APPEARANCES :

Sri B. G. Ravindra Reddy, Advocate—for the Petitioner.
Sri I. Dakshina Murthy, Advocate—for the Respondent.

AWARD

The Government of India, Ministry of Labour, by its Order No. L-17012/08/93-IR(B-II), dated 30th August, 1993 made this reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947 (hereinafter called the Act) for adjudication of the dispute annexed in the schedule which reads as follows :

"Whether the action of the Management of LIC, Machilipatnam Division in terminating the services of Sri K. V. R. C. Reddy on completion of Apprenticeship period is justified? If not, what relief, he is entitled to?"

This reference has been registered as Industrial Dispute No. 34 of 1993 on the file of this Tribunal.

2. The Petitioner filed his claim statement to the following effect.—The Petitioner was appointed as Apprentice Development Officer as per letter of the Respondent dated 17th January, 1990. The Petitioner joined the service on 24th January, 1990. The Petitioner is a Post-Graduate in Commerce and he worked hard and served the Respondent without any complaints. He could bring in a new business of Rs. 14,59,500 under 36 proposals and completed business of Rs. 10,22,000 under 31 proposals by 25th January, 1991. He also appointed 12 Agents and obtained 36 policies during his short service. However the Branch Manager by his letter dated 24th January, 1991 informed the Petitioner that his services were terminated w.e.f. 24th January, 1991 alleging that his performance was found to be unsatisfactory. The action of the Respondent is highly arbitrary and unjustified. The Petitioner resided at Talaprolu which is his Headquarters and he had all correspondence from that place. He submitted his tour and periodical reports to the Respondent regularly. The Respondent continued the service of another employee by name P. Srinivas whose performance was far below to that of the Petitioner. Thus discrimination has been shown towards the Petitioner. The Petitioner was not given one month's notice pay and also retrenchment compensation before his services were terminated. Thus the termination order is violative of Section 25-F of the Act and also violated the principles of natural justice as no notice was given and no enquiry was conducted before the termination of the Petitioner. The termination order is arbitrary. Further the Branch

Manager has no power to terminate the services of the Petitioner and on this ground alone, the termination order is liable to be set aside. The Petitioner is unemployed and in spite of his best efforts he is unable to secure any alternative employment. He was getting a salary of Rs. 1,250.00 per month at the time of his termination of service. Hence he prays this Tribunal to pass an Award directing the Respondent to reinstate the petitioner into service with full back wages and other attendant benefits.

3. On behalf of the Respondent, a counter has been filed to the following effect :—This reference is not maintainable as the action taken by the L.I.C. of India in respect of the Petitioner is under the statutory provisions of L.I.C. of India (Apprentice Development Officer) Recruitment Scheme 1980 as amended from time to time and the provisions of the I. D. Act are not applicable to the Petitioner. The petitioner was not retrenched within the meaning of Section 2(oo) of the Act and not terminated from service within the meaning of Section 2(bb) of the Act nor retrenched under the condition stipulated under Section 25-F of the Act. The Petitioner was discharged from service w.e.f. 24th January, 1991 as his performance during the apprentice period was found not satisfactory and not upto the requirement. This decision taken by the Respondent is within the powers under L.I.C. (Apprentice Development Officers) Recruitment Scheme 1980. As such there is no violation of any of the provisions of the Act. The Petitioner K. V. R. Reddy was appointed as Apprentice Development Officer for a period of one year from 24-1-1990 under the provisions of the L.I.C. (Apprentice Development Officers) Recruitment Scheme 1980. The appointment letter stipulated the conditions regarding the Apprenticeship Theoretical Training placing the petitioner on probation, liability of being discharged from service without any notice and other conditions of appointment as Apprentice Development Officer. During the period of Apprenticeship, he has undergone Theoretical training at Training Centre for two months, training at a selected branch for one month, and Field Training of 9 months. As the performance of the Petitioner during the Apprenticeship period was found not satisfactory and not upto the requirement, he was discharged without placing him on probation in terms of the appointment letter dated 17th January, 1990. The Petitioner was required, among other things, to complete new business of Rs. 15 lakhs during these nine months Field Training in the Apprenticeship period. As against this target, the Petitioner was able to secure completed new business of Rs. 10.22 lakhs only in a given period resulting in short fall of new business required to Rs. 4.78 lakhs. The Petitioner also should appoint at least eight Agents during the full training period. He had to procure at least 10 Jeevan Dhara/Jeevan Akshay Policies. He had to submit promptly a fortnightly reports of his activities in the field in the proforma supplied and also satisfy his superiors that he had good work habits. Only then he would be considered for being placed on probation at the end of the Apprenticeship period. The Petitioner's performance was found not satisfactory. he was informed in the letter dated 3rd October, 1990 that he was not seen either by the Branch Manager or Asst. Branch Manager (Sales) after 15th September, 1990 and that he had not promptly submitted the fortnightly work reports. He was advised several times to contact the officials atleast once in a week and to report about his plans and performance. He was not informing his whereabouts and he was found not staying at his given Headquarters. He was not properly and adequately touring the area entrusted to him. The Agents' Recruitment activity was also not satisfactory and his work habits were not satisfactory. On 7th January, 1991 the Petitioner was informed that his performance was totally disappointing although he had completed 7 months Field Training period as Apprentice Development Officer. He was also told he was not taking adequate interest for the completion of the business introduced by him. The number of Agents appointed and qualified was far below the targets fixed. He was also informed that the Respondent might not recommend his case for being placed on probation unless there is marked improvement in his performance in the first fortnight of January 1991. After reviewing the entire position regarding his performance and work habits, a decision was taken by the competent authority to discharge the petitioner with effect from 24th January, 1991. Accordingly a telegraph was issued on 24th January, 1991 followed by a letter by registered post on the same date. The Appeal against the discharge made by the Petitioner was duly considered by the competent authority and the decision to discharge the petitioner was confirmed as the Authority did not find any valid reasons for reversing the decision taken

earlier. The case of P. Srinivas referred to by the Petitioner is entirely different on facts and is not comparable with that of the Petitioner. The discharge of apprentice or a person on probation does not amount to retrenchment within the meaning of Section 2(a) of the Act or Section 2(bb) of the Act or Section 25-F of the Act. The Petitioner is not entitled for the relief of reinstatement of back wages and as such he is not entitled for any relief under this reference.

4. On behalf of the Petitioner-workman W.W.1 is examined and Exs. W1 to W17 are marked. On behalf of the Respondent M.W1 is examined and Exs. M1 to M4 are marked. The Petitioner-workman got himself examined as W.W1 and he deposed to the averments in his claim statement. The Administrative Officer of the Respondent Corporation is examined as M.W1 and he deposed to the averments in the counter. The details of the documents marked on behalf of the Petitioner and the Respondent are appended to this Award.

5. The points that arise for consideration in this reference are as follows:—

- (1) Whether the Petitioner K.V.R.C. Reddy Apprentice Development Officer is a workman under Section 2(s) of the I.D. Act?
- (2) Whether the Management of the Respondent Corporation is justified in terminating the services of the Petitioner K.V.R.C. Reddy on completion of apprenticeship period?
- (3) To what relief the petitioner is entitled to?

6. Point (1).—The admitted facts, as revealed from the evidence on record, are as follows.—The Petitioner K. V. Ramachandra Reddy is a post graduate in Commerce. He applied to the post of Apprentice Development Officer in the Respondent-L.I.C. of India, Machilipatnam Divisional Office. He was informed by the letter dated 11th January, 1990 (Ex. W1) that he has been selected for the post of Apprentice Development Officer for rural area subject to his being found medically fit and he was advised to report at the Divisional Office, L.I.C. Machilipatnam on 17th January, 1990 for medical examination. On 17th January, 1990 the Petitioner was found medically fit and he was offered the appointment as Rural Apprentice Development Officer under Ex. M1 dated 17th January, 1990 subject to the conditions mentioned therein. He was directed that in case he accepts this offer he has to return the duplicate of the letter after affixing his signature thereon as token of his acceptance to the terms and conditions of the appointment. As seen from Ex. M1, the Petitioner signed in it in acceptance of the terms and conditions of the said appointment. Under Ex. W2 dated 21st February, 1990 the Petitioner was informed that his headquarters is the Branch Office situated in Nuzvid and that area of operation will be informed by the Branch Manager of Nuzvid branch. He was directed to report for duty at Nuzvid Branch Office for his administrative training and he had to select five centres in his area of operation in consultation with the Branch Manager of Nuzvid. Accordingly, the Petitioner reported for duty before the Branch Officer, Nuzvid. It has come in the evidence of the petitioner as W.W1, that, later on, Taliprolu was declared as his headquarters. Under Ex. M-1 the Petitioner was informed that his appointment during the apprenticeship period shall be governed in all respects by the terms and conditions set out in the L.I.C. of India (Apprentice Development Officers) Recruitment Scheme 1980. Ex. M4 is a copy of the said recruitment Scheme 1980. By the letter dated 24th January, 1991 (Ex. W9) the Petitioner was informed that his services as Apprentice Development Officer stand terminated w.e.f. 24th January, 1991 for the reason that his performance during the apprenticeship period was found not satisfactory and not upto the requirement. Under the original of Ex. W11 the Petitioner submitted a representation to the Zonal Manager to reconsider his case and to put him on probation with retrospective effect from 24-1-1991. Under Ex. W-12 the Branch Manager forwarded the said representation to the Senior Divisional Manager, Machilipatnam. Obviously his request was not considered. Thereafter, under the original of Ex. W-13, the Petitioner raised a dispute before the Assistant Commissioner of Labour (Central) Vijayawada. Under Ex. W-14, the Respondent submitted its counter on the issue raised by the Petitioner before the Assistant Commissioner of Labour. Under Ex. W-15 the Petitioner gave his reply to the allegations made in the management's counter before the Assistant

Commissioner of Labour. The conciliation ended in failure and Ex. W-16 is the minutes of the conciliation proceedings held on 19-11-1993. Under Ex. W-17 the Assistant Commissioner of Labour (Central) Vijayawada submitted his failure report dated 30-11-1992 to the Secretary to the Government of India, Ministry of Labour, New Delhi. Thereafter, this reference has been made to this Tribunal for adjudication as stated earlier. Under Ex. M-1 the letter of appointment dated 17-1-1990 the Petitioner was informed that on completion of apprentice period and if his work and conduct found satisfactory, he will be appointed as Development Officer on probation, in accordance with the Staff Regulations.

7. The learned counsel for the Respondent-Management has raised a preliminary objection stating that the petitioner who worked as Apprentice Development Officer is not a workman as defined under Section 2(s) of the Act and as such this reference is not maintainable. Section 2(s) of the Act defines "workman" as follows :—

" 'Workman' means any person (including an apprentice) employed in any industry to do any manual, unskilled, skilled technical, operational whether the terms of employment be express or implied and for the purposes of any proceedings under this Act in relation to an industrial dispute, include any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or whose dismissal, discharge or retrenchment has led to that dispute, but does not include any such person :

- (i) who is subject to the Air Force Act, 1950, or the Army Act, 1950, or the Navy Act, 1957 or
- (ii) who is employed in the police service or as an officer or other employee of a prison, or
- (iii) who is employed mainly in a management or administrative capacity, or
- (iv) who, being employed in a supervisory capacity drawn wages exceeding one thousand six hundred rupees per mensem or exercise, either by the nature of the duties attached to the office or by reasons of the powers vested in him, functions mainly of a managerial nature."

A person to be a "workman" within the meaning of this definition must be one employed in an industry for hire or reward and his term of employment may be express or implied. As to the nature of the work required to be done by him, it may be either 'manual', 'technical', clerical or supervisory, provided that if the work is of supervisory nature he does not earn wages exceeding Rs. 1600.00 per month, and his function is not mainly managerial. Further this definition specifically excludes from its purview;

1. Persons subjected to Army, Air Force and Navy.
2. Persons employed in Police Service or Employees of prison
3. Persons mainly doing Managerial or Administrative work.

in deciding the question whether an employee of an industry concern is a "workman"

It is well settled that while determining an employee as "workman" the designation given to the employee is by no means conclusive. The decision must rest upon the nature of the work assigned to perform by the employer and whether it requires initiation and command. In *S. K. Verma v. Mahesh Chandra* [1983 (47) Indian Factories and Labour Reports, page 313], the issue whether the Development Officer in L.I.C. of India is a workman under the definition of Section 2(s) of the Act had come up before their Lordships of Supreme Court. After considering the terms and conditions of appointment of the Development Officer, their Lordships have categorically held that the Development Officer of L.I.C. is a workman within the meaning of Section 2(s) of the Act. A Division Bench of our High Court also in *Divisional Manager, L.I.C. Machilipatnam and Others v. M. Venugopal* [1993 (1) ALI page 77] held in para 60, that the Development Officer of the L.I.C. is a workman. These decisions are applicable in the case of Apprentice Development Officer also. Therefore, relying

on these decisions, I have no hesitation to conclude that the Petitioner who is an Apprentice Development Officer in L.I.C. is a workman within the meaning of Section 2(s) of the Act. The point is thus decided in favour of the Petitioner-workman.

8. Point (2).—The learned counsel for the Respondent-Management submits that the Petitioner was appointed as Apprentice Development Officer for one year and if work and conduct are found satisfactory during the said apprenticeship period, he will be appointed as Development Officer on probation in accordance with Staff Regulation and in the instant case during the period of apprenticeship the Management found the work and conduct of the petitioner not satisfactory his services were terminated under Ex. W-9 with effect from 24-1-1991. The learned counsel for the Respondent further submits that the petitioner failed to achieve the targets fixed for him during the period of apprenticeship that the Petitioner failed to secure completed new business of Rs. 15 lakhs during the apprenticeship period that the petitioner also failed in his duty in submitting fortnightly reports of his activities in the field in proforma supplied and also failed to satisfy his superior that he had good work habits and that he was also not residing in headquarters therefore, the petitioner was not considered for being placed on probation at the end of apprenticeship period. The learned counsel for the Respondent further submits that on 7-1-1991 under Ex. M-3 and on 3-10-1990 under Ex. M-2, the Petitioner was informed that his performance was totally disappointing as apprentice Development Officer and that he should improve in his performance in the first fortnight of January 1991 for recommending his case for being placed on probation. The learned counsel for the Respondent further submits that the services of the Petitioner were terminated under the provisions of the L.I.C. of India (Apprentice Development Officers) Recruitment Scheme 1980 and as such the provisions under Section 25-F of the I. D. Act are not applicable and the Respondent-Management need not comply with the provisions of Section 25-F of the Act before terminating the services of the petitioner. The learned counsel for the Respondent also submits that the termination of the service of the petitioner is under Section 2(oo) (bb) Part II of the Act and therefore it cannot be said as "retrenchment" as defined in main Section 2(oo) of the Act. He also relied on the decision of the Supreme Court in *M. Venugopal v. Divisional Manager, LIC Machilipatnam* (AIR 1994 S.C. page 1343). On the other hand, the learned counsel for the petitioner submits that the termination of the petitioner is bad as the procedure contemplated under Section 25-F of the Act is not followed, that in the order of appointment, no targets have been fixed for the petitioner to comply with the period of apprenticeship, that as no notice was given before termination of his services, the termination is bad, that the Respondent has not applied his mind while terminating the services of the petitioner and not placing the petitioner on probation as Development Officer.

9. To appreciate these rival contentions effectively it is relevant to read Section 2(oo) of the Act in its entirety which is as follows :

"Retrenchment means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

- (a) Voluntary retirement of the workman or
- (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf or
- (bb) termination of the service of the workman as a result of the nonrenewal of the contract of the employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf as contained therein or
- (c) termination of the service of a workman on the ground of continued ill-health".

Section 25-F of the I. D. Act prescribes conditions precedent to retrenchment of workman and it reads as follows :—

"Conditions precedent to retrenchment of workman.—
No workman employed in any industry who has

been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice.
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days average pay (or every completed year of continuous service), or any part thereof in excess of six months and
- (c) Notice in the prescribed manner is served on the appropriate Government (or such authority as may be specified by the appropriate Government by Notification in the Official Gazette)."

It is settled law that the definition of "retrenchment" in Section 2(oo) of the Act is a comprehensive one intended to cover any action of the management to put an end to the employment of an employee for any reasons whatsoever except if the case falls within any of the excepted categories i.e. (i) termination by way of punishment inflicted pursuant to the disciplinary action, (ii) voluntary retirement of the workman, (iii) retirement of the workman on reaching the age of superannuation in the contract of employment between the employer and workman concerned contains a stipulation in that behalf or (iv) termination of the service of the workman as a result of non-renewal of contract of employment between the employer and workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf as contained therein; and (v) termination of the service of a workman on the ground of continued ill-health. Once the case does not fall in any of these excepted categories, the termination of service would be "retrenchment" within the meaning of the expression of Section 2(oo) of the Act *vide D. Yadav v. IMA Industries Ltd.* [1993 (2) Supreme Court Cases 259], *L. Robert Desouza v. Executive Engineer Southern Railway and AIR* [AIR 1982 S.C. page 9854], *Oriental Bank of Commerce v. Presiding Officer, Central Government Industrial Tribunal Anr.* [1994 (II) LLJ, page 770 Rajasthan]. In the instant case, the services of the Petitioner as Apprentice Development Officer were terminated w.e.f. 24-1-1991 and it does not fall within any of the excepted categories under Section 2(oo) of the Act. Therefore, the termination of the petitioner amounts to retrenchment as defined under Section 2(oo) of the Act.

10. The learned counsel for the Respondent submits that the employment of the Petitioner is under a contract, that the contract of employment of the petitioner was not renewed as the petitioner failed to fulfill the conditions or achieved the targets fixed to him under the contract of employment and therefore the termination of the services of the petitioner comes under the exceptions mentioned in Sub-clause (bb) of Section 2(oo) of the Act. The learned counsel for the Respondent also contends that under the contract of employment the petitioner was fixed to secure new business of Rs. 15 lakhs during the period of apprenticeship and the petitioner failed to achieve the said target therefore, the petitioner is not entitled to be placed under probation Development Officer. The learned counsel for the Respondent also submits that the Petitioner as Apprentice Development Officer is governed by L.I.C. (Apprentice Development Officer) Recruitment Scheme 1980 and under Clause 76(1) of the said Scheme on apprentice Development Officer, other than an employee-apprentice, may be discharged at any time without any notice or without assigning any reasons whatsoever. He further contends that even in the appointment letter Ex. M-1 it is specifically mentioned in para 5 that during the period of apprenticeship, the petitioner shall be liable to be discharged from service without any notice. MW-1 did not specifically say in his examination-in-chief, the targets that were fixed for the petitioner in securing new business as apprentice Development Officer during the apprenticeship period. But in his cross examination MW-1 states that the petitioner, against the target of 15 lakhs, completed business to a tune of 10.22 lakhs during the period of his apprenticeship and that the petitioner introduced business of Rs. 14,59,5000.00 and out of it he had completed the business to a tune of Rs. 10.22 lakhs. As seen from the letter of appointment Ex. M-1 there is no clause incorporating the targets fixed for the petitioner during his apprenticeship period.

It is simply mentioned that there would be the oritcal training at the Training Centre and with completion of the apprenticeship period, if his work and conduct are found satisfactory, he will be appointed as Development Officer on probation. There is also another clause relating to absence and leave during the apprentice period and in case holding an agency to transact Life Insurance business, he had to keep the agency inforce by renewing his licence and he would not be permitted to transact new business under the agency and if any member of his family is having an agency and such agency has to be kept in force during the period of his apprenticeship without transacting any new business. Thus no target in conducting the new business has been fixed under the order of appointment Ex. M-1. Likewise, even in Ex. M-4 i.e. L.I.C. (Apprentice Development Officer) Recruitment Scheme 1980, no target has been fixed for doing new business by the Apprentice Development Officer. On the other hand, it is mentioned in Clause 5.1 that the Apprentice Development Officers, other than the employee apprentice, shall be required to serve for apprenticeship for a period of one year and during that period they shall be given theoretical training at Training Centre for two months training in the selected rural branch for one month and filed training for nine months. It is specifically mentioned under Clause 5.2 that the (Staff) Regulation, 1960, shall not apply to an apprentice Development Officer. The Respondent-Management also failed to produce any other document or Rule to show that a Apprentice Development Officer has been fixed the target of Rs. 15 lakhs of new business. The petitioner-workman examined as WW-1 states in his cross examination that during the period of apprenticeship one has to do the business of 10 lakhs by appointing eight agents and that he had completed with this requirement. As earlier stated, MW-1 also admitted in his cross examination that the petitioner had completed new business to the tune of 10.22 lakhs during the period of apprenticeship and that the petitioner introduced new business of Rs. 14,59,500 under 36 proposals. Ex. W-10 is the letter dated 29-1-1991 addressed by the Branch Manager to Senior Divisional Manager, Machilipatnam to the effect that the Petitioner during his apprentice period, had introduced business of Rs. 14,59,500.00 under 36 proposals and a business of Rs. 10.22 lakhs under 31 policies was completed by 23-1-1991 i.e. by the date of the completion of his one year apprentice period. This document Ex. W-10 is proof positive that the petitioner herein had completed new business of Rs. 10.22 lakhs under 31 policies during the one year period of apprenticeship and that he had also appointed 12 agents. Therefore there is no substance in the contention of the learned counsel for the Respondent that the petitioner failed to secure the target business during the apprenticeship period.

11. There is also no substance in the contention of the learned counsel for the Respondent that the Petitioner herein did not undertake tours in the area of his operation during the apprenticeship period. Exs. 3, W4, W5 and W6 are the office copies of the tour programme of the petitioner during his apprenticeship period. MW1 also admits in his cross examination that the original of these documents may be available in the office of the Respondent. There is also no evidence on record that the work of the petitioner during his apprentice period is far from satisfactory. Except MW1 who is an Administrative Officer working in the Respondent Office, no other witness is examined to speak about the work and work habits of the petitioner. It is true that MW1 in his examination-in-chief stated that the petitioner did not comply with the norms of the Respondent and that his work habits are not satisfactory, and that the petitioner was not residing in the headquarters given to him. But in his cross examination he has categorically admitted that he has no personal knowledge of this case and that he deposed with reference to the records and that he has not seen the complete record of the petitioner. MW1 states in his cross-examination thus : "I do not know whether the petitioner had appointed and activated 12 Agents as suggested. I do not know whether the petitioner completed Jeevandhara Policies. I have no personal knowledge about this case and I deposed with reference to the records. I do not have any idea as to whether the petitioner was maintaining the headquarters at Telaprole and the entire correspondence, reports etc., were carried out from there. I do not know whether he was residing at Telaprole only. The Respondent has not given any charge memo or charge sheet to the petitioner before he was discharged. No show 450 GI/96-6

cause notice was also issued to the petitioner and no explanation was called for as they are not contemplated under Respondent Scheme 1980. No domestic enquiry was conducted against the petitioner. I have not seen the complete record of the petitioner. The original of Exs. W3 to W8 may be available in the Branch Office, similarly Exs. W-11 and W15 may be available in the Branch Office." It is clear from this testimony of MW1 that he has no personal knowledge with regard to this case and that he has not seen the complete record of the petitioner. Further he was also not the Branch Manager of Mazvid under whom the petitioner had underwent apprenticeship. The then Branch Management of Nuzvid under whom the petitioner underwent apprenticeship is not examined. He would have been the competent person to speak about the satisfactory work and conduct of the petitioner during the apprenticeship period. For the reasons best known to the Respondent, the then Branch Manager is not produced before this Tribunal. MW1 is not competent to speak about the work habits and conduct of the petitioner during the apprenticeship period as he was not the branch Manager during the said period.

12. The learned counsel for the Respondent relied on the decision in *M. Venugopal v. Divisional Manager, LIC of India Machilipatnam* (AIR 1984 S.C. page 1343). But that decision has no application to the facts in this case. In that case, the Development Officer on probation failed to achieve the necessary target stipulated in his contract of employment and therefore his services were terminated as per the stipulation contained in the contract of employment read with Regulation 14 of LIC of India (Staff) Regulations 1960. Their Lordships held under those circumstances such termination cannot be assailed for non-compliance of the provisions of Section 25- of the Act. In the instant case, as earlier stated, the petitioner herein is not a Development Officer on probation. He is only Apprentice Development Officer, and on completion of his apprenticeship for one year he had to be placed on probation as Development Officer. But as earlier stated, no targets were fixed in his letter of appointment Ex. M1 or in the provisions of the L.I.C. (Apprentice Development Officer) Recruitment Scheme 1980. It is also specifically mentioned in the Scheme that L.I.C. staff Regulation 1960 are not applicable to the Apprentice Development Officer.

13. The Petitioner-workman pleaded in his claim statement and also deposed in his evidence as WW-1 that one P. Srinivas was appointed along with him as Apprentice Development Officer and his performance as Apprentice Development Officer was far below to that of the petitioner and that P. Srinivas was also terminated from service along with the petitioner, but he was reinstated and put on probation within three months after his termination of service. It is also in the evidence of WW-1 that the said P. Srinivas did business of 10 lakhs only by appointing 8 agents whereas he did new business of 10.22 lakhs appointing 12 agents and that the said Srinivas had secured total business of 10 lakhs out of 18 policies where as he had taken new business of 14,59,500.00 out of 36 policies. WW1 further stated that the Respondent-Management had shown discrimination against him and that the order of termination passed against him is discriminatory and arbitrary. In the counter filed on behalf of the Respondent Management has not specifically denied these allegations, but simply mentioned that the case of P. Srinivas is not comparable with that of the petitioner. MW1 examined on behalf of the Respondent-Management stated in his cross-examination thus : "I cannot say whether the details of policies as given in the claim statement pertaining to the petitioner and one Sri P. Srinivas who was also working as Apprenticeship Development Officer, City Branch III, Vijawada are correct. I do not know whether the said P. Srinivas who was discharged from service as Apprenticeship Development Officer was reinstated once again." Therefore, the evidence of the petitioner is not rebutted by the Management and P. Srinivas was also appointed as Apprenticeship Development Officer along with petitioner and his performance was no way better than that of the petitioner and he was terminated but again reinstated and placed on probation as Development Officer, while denying the same to the petitioner. This act on the part of the Respondent is nothing but discriminatory and arbitrary.

14. The learned counsel for the Petitioner also submits that the order of termination under Ex. W-9 is bad as the Branch Manager is not competent to discharge and terminate the services of the Apprentice Development Officer. Admittedly, the Senior Divisional Officer is the competent person to appoint and terminate the services of Apprentice Development Officer. As seen from Ex. M1 the order of appointment was issued by the Senior Divisional Manager. But the order of termination Ex. W9 was issued by the Branch Manager who is not competent to issue the said order. M.W1 also states in his cross examination thus : "Though Ex. W9 the termination order was issued by the Branch Manager, it was as per the instructions of the Divisional Manager in the Divisional Office. The Branch Manager is not competent to discharge and terminate the services of the Apprentice Development Officer. We have not filed any documents to show that the petitioner was terminated by the Divisional Manager. It is not correct to say that the Petitioner was terminated by the Branch Manager and not Divisional Manager. The Divisional Manager is the appointing authority for Apprenticeship Development Officer. I have not seen the complete records of the petitioner". Admittedly it is the Branch Manager who has issued the termination order Ex. W9 but it is mentioned in Ex. W9 that on instructions from the Divisional Manager he passed the order but there is nothing on record to show that the Divisional Manager had in fact issued such instructions to the Branch Manager. Nothing prevented the Respondent-Management to examine Divisional Manager to show that he gave instructions to the Branch Manager to issue such termination order or to examine the Branch Manager that he received such instructions from the Divisional Manager to issue such termination order under the instructions from the Divisional Manager. In the absence of such evidence it has to be held that the order of termination Ex. W9 was passed by an incompetent person i.e. the Branch Manager.

15. Admittedly, the petitioner was not given one month notice in writing indicating the reasons for the retrenchment, nor was he paid wages for the period of notice in lieu of such notice, nor was he paid retrenchment compensation equivalent to 15 days average pay. Thus the Respondent-Management has not complied with the precondition as prescribed under Section 25-F of the I. D. Act before retrenching the petitioner-workman. Hence the retrenchment of the petitioner is illegal and void.

16. In the light of my above discussion, I hold on Point 2 that the action of the Respondent-Management in terminating the services of the Petitioner K.V. Ramachandra Reddy w.e.f. 24-1-1991 is not justified.

17. Point (3) :—This point relates to the relief to be granted to the Petitioner. It is well settled that if services of an employee were terminated in violation of Section 25-F of the Act the retrenchment is rendered ab initio void and the employee would be entitled to be reinstated into service along with his back wages vide *Gammam India Ltd. v. Niranjan Das* 1984 (1) S.C. 509 and *Narotham Chopra v. Presiding Officer, Labour Court and others* (1988 (4) SLR page 388).

18. Admittedly, in the instant case, there is long delay on the part of the petitioner-workman in approaching the Assistant Commissioner of Labour (Central) seeking redress of his grievance of his services were terminated on 24-1-1991. But he approached the Assistant Commissioner of Labour (Central) only in 1992. The conciliation meeting was held on 19-11-1992. Thereafter the Government of India made this reference by its order dt. 30-8-1993. No explanation is forthcoming on the part of the petitioner for the said long delay in approaching the Asst. Commissioner of Labour. Considering the circumstances in this case, it would meet the ends of justice if the petitioner-workman is awarded reinstatement forthwith and with back wages from the date of reference made by the Government of India i.e. 30-8-1993. Therefore, I hold on Point 3 the petitioner is entitled for reinstatement forthwith and with back wages from 30-8-1993 till the date of reinstatement. The petitioner is also entitled to be appointed as "Development Officer on probation" in the scale of Development Officer Grade I under the Staff

Regulations in pursuance of Clause 7.1 of the LIC of India (Apprentice Development Officer) Recruitment Scheme 1980.

19. In the result, Award is passed setting aside the order of termination dt. 24-1-1991 passed against the petitioner Sri K.V. Ramachandra Reddy and directing the Respondent-Management to reinstate the workman Sri K. V. Ramachandra Reddy into service as Apprentice Development Officer forthwith and the Petitioner is entitled for back wages w.e.f. 30-8-1993. The Respondent Management is further directed to appoint the petitioner as Development Officer on probation Grade I in pursuance of Clause 7.1 of the L.I.C. of India (Apprentice Development Officer) Recruitment Scheme 1980. Thus the reference is answered accordingly. The parties are directed to bear their costs.

Dated to the Senographer, transcribed by him, corrected by me and given under my hand and the seal of this Tribunal, this the 5th day of December, 1995.

A. HANUMANTHU, Industrial Tribunal-I
Appendix of Evidence

Witnesses Examined for the Petitioner :	Witnesses examined for Respondent :
W.W1 K.V. Ramachandra Reddy.	M.W1 M. V. S. R. Anjaneyulu.

Documents marked for the Petitioner :

- Ex. W1 11-1-90—Letter of selection issued to W.W1.
- Ex. W2 21-8-90—Posting order issued to W.W1.
- Ex. W3 to W6—Tour programme sheets for 6/90, 7/90, Oct./90 and Jan. 1991 of W.W1.
- Ex. W7 and W8—Performance sheets of W.W1.
- Ex. W9 24-1-91—Termination of services of W.W1.
- Ex. W10 —Performance sheet.
- Ex. W11 11-5-91—Representation made to Zonal Manager, Hyderabad.
- Ex. W12 11-5-91—Forwarding letter by the Branch Manager.
- Ex. W13 —Representation to Asst. Labour Commissioner.
- Ex. W14 6-1-92—Xerox copy of the reply by the L.I.C. to Ex. W13.
- Ex. W15 29-4-92—Reply to Ex. W14.
- Ex. W16 —Minutes of conciliation.
- Ex. W17 —Failure Report.

Documents marked for the Respondent :

- Ex. M1 17-1-90—Appointment order of the Petitioner.
- Ex. M2 3-10-90—Copy of the letter of the Branch Manager of Respondent showing the performance given in the LIC by the Petitioner.
- Ex. M3 7-1-91—Xerox copy of the letter issued by Marketing Manager of LIC to the Petitioner.
- Ex. M4 —Copy of LIC (Apprentices Development Officer) Recruitment Scheme 1980.

नई दिल्ली, 13 फरवरी, 1996

का.आ. 692.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-2-96 को प्राप्त हुआ था।

[संख्या एन-40012/46/92-आईआर (डी. यू.)]

के. वी. बी. उन्नी, हेड अधिकारी

New Delhi, the 13th February, 1996

S.O. 692.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Hyderabad as shown in the Annexure, in the Industrial Dispute between the employees in relation to the management of Telecommunication and their workman, which was received by the Central Government on 6-2-96.

[No. L-40012/46/92-IR (DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, HYDRABAD
Present :

Sri A. Hanumanthu, M.A., LL.B., Industrial Tribunal-I.
Dated : 21-12-1995

INDUSTRIAL DISPUTE NO. 17 OF 1993

BETWEEN

Shri P. J. Jagannatham S/o Pydi Raju,
23-28, Lavudi Street, Sajur-532 591,
Vizianagaram District (A.P.) .. Petitioner

AND

The Telecom District Manager,
Rajasthan-533150, E.G. District (AP) .. Respondent

Appearances :

S/Sri C. Suryanarayana and R. Yonginder Singh, Advocates for the Petitioner.

Sri P. Damodar Reddy, Advocate filed memo of appearance for the Respondent.

Respondent set exparte on 8-9-1995.

AWARD

The Government of India Ministry of Labour, New Delhi by its Order No. L-40012/46/92-IR (DU), dt. 22-2-93 made this reference under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 (hereinafter called the 'Act') for adjudication of the Industrial Dispute mentioned in its schedule which reads as follows :

"Whether the action of the Telecom Distt. Manager Telecom Deptt., Rajahmundry in terminating the services of Shri P. N. Jagannadham, Ex. Short Duty Telephone Operator is justified?"

If not, what relief he is entitled to?"

This reference has been registered as I.D. No. 17 of 1993. After receiving the notices issued by this Tribunal, the petitioner is being represented by his counsel and the Asstt. Government Pleader filed memo of appearance on behalf of the Respondent. But subsequently as the petitioner and the Respondent failed to file their statements and counter respectively, my learned predecessor passed the award closing the reference on 15-3-1994. On 3-4-1995 as per the order in I.A. No. 37/95, the said award closing the reference on 15-3-1994 has been set aside and the reference has been restored to file and the matter came up once again for disposal.

2. On behalf of the petitioner a claim statement has been filed on 6-5-1995 to the following effect :—

The petitioner passed S.S.C. examination in 1976 with 58.4% marks and Intermediate in 1978 with 63 per cent marks. In response to the advertisement made by the Respondent in April, 1981 calling for applications for recruitment of Telephone Operators, the petitioner submitted his application. The petitioner was informed by the Respondent in the letter dt. 19-10-1981 that he was provisionally selected for consideration as Telephone Operator. Subsequently, the Dy. Divisional Engineer, Telecom, Rajahmundry through Memo dt. 17-11-1981 informed the petitioner to report to the Asstt. Engineer, Trunks, Rajahmundry to work as Short Duty Telephone Operator

purely on temporary basis subject to the conditions mentioned therein. This offer did not have anything to do with his provisional selection for consideration as Telephone Operator. As the petitioner was unemployed, he accepted the offer and reported to the Asstt. Engineer, Trunks, Rajahmundry to work as Short Duty Telephone Operator. The petitioner was given one week local training at Rajahmundry and he was employed as Short Duty Telephone Operator from 3rd week November, 1981 upto 2-12-1982 almost continuously. Thereafter he was discharged from service informing that if and when orders for his training as Regular Telephone Operator were issued, he would be informed and therefore he was asked to go home and await the orders. Subsequently, when the petitioner came to know that those in the select list below his name were sent for training and absorbed as regular Telephone Operator, he approached the authorities, but to no avail. The petitioner therefore raised an Industrial Dispute before the Asstt. Labour Commissioner (Central) Vizag vide his complaint dt. 11-5-91, but the conciliation proceedings ended in failure due to the unreasonable attitude of the Respondent. The Petitioner herein prays to pass an award declaring that he is entitled to be absorbed as a Regular Telephone Operator with protection of his seniority and back wages as well as all other benefits which are consequential and incidental to his reinstatement absorption accordingly. The Petitioner will have no objection for being absorbed as Telecom Office Assistant and this is of equal cadre as that of Telephone Operator.

3. Though several opportunities were given for the Respondent-Management to file its counter, the Respondent failed to file the same. On 8-10-1995 the Respondent and his counsel called absent and as there was no representation the Respondent was set exparte.

4. On behalf of the Petitioner-workman, WW-1 is examined and Exs. W1 to W4 are marked. No oral or documentary evidence is adduced on behalf of the Respondent. The Petitioner Sri P. M. Jagannadham got himself examined as W.W1 and he deposed to the averments in his claim statement. The details of the documents Ex. W1 to W4 marked on behalf of the petitioner are appended to this Award.

5. The points that arise for consideration are as follows :

(i) Whether the action of the Telecom Distt. Manager Telecom Department, Rajahmundry in terminating the services of Shri P. N. Jagannadham, Ex. Short Duty Telephone Operator is justified?

(ii) To what relief, the petitioner Sri P. N. Jagannadham is entitled to in this reference?

6. POINT-1 : The facts as revealed from the evidence on record are as follows :

The petitioner Sri P.N. Jagannadham was selected provisionally for consideration as Short Duty Telephone Operator and he was informed to that effect by the Dy. Divl. Engineer, Telecom, Rajahmundry by his letter dt. 19-10-81. Ex. W1 is the said letter. On 17-11-81 the Dy. Divl. Engineer, Telecom, Rajahmundry issued a letter directing the petitioner to report before Asstt. Engineer, Trunks, Rajahmundry to work as Short Duty Telephone Operator purely on temporary basis. Ex. W2 is the said letter dated 17-11-81. As seen from this letter Ex. W2, the engagement of the petitioner as Short Duty Telephone Operator is purely on temporary basis, that it is not an appointment as regular telephone Operator, but wholly on casual basis to be paid at an hourly rate to make good the dearth of regular Operators due to absenteeism, that he will be engaged for maximum 2 to 6 hours per day and that the payment will be made at the rate of Rs. 2/- per hour once in a month depending upon the duration of engagement. Obviously accepted for those terms, the petitioner held joined as Short Duty Telephone Operator. In his claims statement as well as in his evidence as W.W1, the petitioner stated that he joined as Short Duty Telephone Operator in the month of November, 1981. But in his

application dt. 11-5-91 (Ex. W3) submitted before the Asstt. Labour Commissioner (Central) Vizag, in para 3, he has stated that he joined as Short Duty Telephone Operator on 17-12-81. The petitioner worked as Short Duty Telephone Operator till 2-12-1982. Thereafter according to the petitioner, he was discharged from service informing that he can go home and when the orders for his training as regular Telephone Operator were issued, he would be informed. Thus according to the petitioner, he was discharged from service as Short Duty Telephone Operator with effect from 2-12-1982.

7. The learned counsel for the petitioner submits that the petitioner worked continuously from the 3rd week of November, 1981 till 2-12-1982 as Short Duty Telephone Operator, that without giving any notice or pay in lieu of notice and without paying retrenchment compensation as required under Section 25F of the Act, the petitioner has been retrenched from service and as such it is illegal and the petitioner is entitled for reinstatement with back wages and continuity of service. The learned counsel for the petitioner further submits that under Ex. W1 the petitioner was selected for being appointed as Telephone Operator but he was not given posting as Telephone Operator that the persons beneath his name in the selection list have been appointed as Telephone Operators and that the petitioner was also entitled to be absorbed as regular Telephone Operator on par with his juniors.

8. It is well settled that all "retrenchment" is termination of service but all termination of service may not be "retrenchment". In order to be "retrenchment", termination of service has to fall within the ambit of definition of "Retrenchment" in Section 2(cc) of the Act. Further Section 25(F) of the Act prescribes the requirements of notice and compensation as conditions precedent to retrenchment of a workman. Termination of service of a workman as a measure of retrenchment without complying with the requirements under Section 25(F) of the Act will be illegal. It is also well settled that the burden of proof to be established that the termination of service of the workman is "retrenchment" is on the person put forward the claim. In other words where the employee claims that he has been retrenched, he must prove that he has been retrenched from service and it is not for the employer to prove the discharge or the termination of the employee as otherwise than by way of retrenchment. It is also well settled that discharge simpliciter does not amount to "retrenchment". If the termination actuated by motive of victimisation or unfair labour practice it amounts to retrenchment. Hence it has to be seen whether the discharge of the petitioner with effect from 2-12-1982 amounts to "retrenchment" as defined under Section 2(cc) of the Act, and whether the petitioner has discharged that burden.

9. It is in the evidence of the petitioner as W.W1 that he joined as Short Duty Telephone Operator in November, 1981, that before joining as Short Duty Telephone Operator he applied for recruitment as regular telephone Operator by the letter dated 19th October, 1981 (Ex. W1). Dy. Divl. Engineer, Telecom, Rajahmundry informed him that he has been provisionally selected for consideration as Telephone Operator and that he has been selected in the interview and his name was included in the selection list. W.W1 further stated that he was informed through letter dated 17th November, 1981 (Ex. W2) that he would be engaged as Short Duty Telephone Operator for 2 to 6 hours maximum at hourly rate of Rs. 2 per day, and that when he asked why he was not being engaged as Telephone Operator, he was informed that he would be appointed afterwards as regular telephone Operator if he works for at least 120 days in a period of 6 months as Short Duty Telephone Operator. He further deposed that he was informed that he had been appointed as Short Duty Telephone Operator on casual basis and subsequently he was not absorbed as regular Telephone Operator as per rules and that his juniors have been appointed as regular telephone Operators, and that subsequently he did not receive any order absorbing him as regular Telephone Operator. As earlier stated, Ex. W2 is the letter dated 17th November, 1981 directing the petitioner to report to Asst. Engineer, Trunks, Rajahmundry to work as Short Duty Telephone Operator. As seen from this letter Ex. W2 the engagement of the petitioner as Short Duty Telephone Operator was purely on temporary basis and subject to the conditions as contained in that letter. The petitioner was appointed

on casual basis to be paid an hourly rate of Rs. 2 to make good the dearth of regular operators due to absenteeism, and he would be appointed for maximum of 2 to 6 hours per day and that the payment of wages will be paid once in a month depending upon the duration of engagement. Obviously, accepting these terms only, the petitioner had joined as Short Duty Telephone Operator in November, 1981 as mentioned in the claims statement. It is clear from this letter of selection Ex. W2 that the petitioner was appointed to tide over the difficulty due to absenteeism of regular operators and it is purely on casual basis to be paid at hourly rate and it is not against a permanent vacancy. The Petitioner was not employed on regular basis against permanent vacancy. Obviously he was engaged as the attendance of regular operators was poor and he had to be discharged when the attendance of the regular operators was improved. Therefore the discharge of the petitioner is a discharge simpliciter. It cannot be said that it has been motivated due to vindictiveness or due to unfair labour practice on the part of the respondent. The petitioner cannot be continued in service after return of the regular telephone operators to the office. Therefore, the termination of the service of the petitioner does not amount to "retrenchment" as defined under Section 2(cc) of the Act.

10. The learned counsel for the petitioner contends that the petitioner was selected under Ex. W1 as Telephone Operator against the vacancies of 1981, that after the introduction of the scheme under the name of Reserved Trained Pool, the recruitment of the petitioner as Short Duty Telephone Operator is not permissible and therefore he should have been recruited only under Reserve Trained Pool as Telephone Operator and he should have been absorbed as regular telephone operator and an award may be passed directing the Respondent to absorb the petitioner as regular Telephone Operator. I am doubtful whether this Tribunal has got jurisdiction to decide this aspect as contended by the learned counsel for the petitioner and as spoken to by the petitioner as W.W1. Section 10(4) lays down that the adjudication of the dispute by a Tribunal should be confined only to (1) the points specified in the reference and (2) the matters incidental thereto. The Industrial Tribunal is the creature of a statute. Hence its jurisdiction is circumscribed by the Act, and its adjudication must, therefore, be confined to the perimeter of the provisions of the Act. The Industrial Tribunal is not a court of general and residuary jurisdiction, but is a Tribunal with specific jurisdiction circumscribed by the terms of an order of reference. Before the Tribunal can acquire jurisdiction in any particular case, the Industrial Dispute must be referred to it by the 'appropriate Government' and its jurisdiction is limited to the dispute so referred and the matters incidental thereto, and the Tribunal cannot go beyond the terms of the reference. Without such reference the Tribunal does not get any such jurisdiction to adjudicate upon any dispute. In other words the Tribunal is not free to enlarge the scope of the dispute referred to it but must confine its attention to the points specifically mentioned and anything which is incidental thereto. In the instant case the appropriate Government i.e. the Government of India, Ministry of Labour, New Delhi referred the dispute "whether the action of the Telecom District Manager Telecom Department, Rajahmundry in terminating the services of Shri P. N. Jagannadham, Ex. Short Duty Telephone Operator is justified". Justifiability of the action of the Telecom Dist. Manager Telecom Department, Rajahmundry in terminating the services of the petitioner is the dispute that has been referred to for adjudication to this Tribunal. The dispute now raised by the petitioner or as argued by the learned counsel for the petitioner is that the appointment of the petitioner as Short Duty Telephone Operator should be deemed as under the scheme of Reserve Trained Telephone Operators and that the petitioner is entitled to be absorbed as regular telephone operator in pursuance of the letter under Ex. W1. This dispute cannot be said to be 'incidental' to the dispute referred to by the Government. The word 'Incidental' means, according to the Webster's New World Dictionary, "Happening or likely to happen as a result of or in connection with something more important: being an incident; casual, hence, secondary or minor, but usually associated". In *DELHI CLOTH & GENERAL MILLS CO. LTD. Vs. THEIR WORKMEN* (1967-1 LLJ 423) their Lordships of Supreme Court observed thus something incidental to a dispute must, therefore, mean something happening as a result of or in connection with the dispute or associated with the dispute. The dispute is a fundamental thing while "something incidental thereto is an adjunct to it.

Something incidental, therefore, cannot cut at the root of the main thing to which it is an adjunct". Thus 'incidental' implies a subordinate and subsidiary thing related to some other main or principal thing requiring casual attention while considering the main thing. It is obvious, therefore, that the matters which require independent consideration or treatment and have their own importance, cannot be considered as 'incidental'. The dispute now raised for consideration of this Tribunal by the petitioner and his counsel is entirely different from the dispute under reference and it is not "incidental" to the dispute referred to by the Government of India. As such the claim of the petitioner that he should be deemed to have been selected as Telephone Operator against existing vacancies of 1981 and he should have been absorbed as regular telephone operator cannot be adjudicated upon by this Tribunal in this reference as it is not an 'Incidental' to the dispute referred to by the Government of India.

11. Further the claim of the petitioner for reinstatement or even for absorption as regular operator has also become stale. Admittedly, the petitioner was discharged from service with effect from 2nd December, 1982. As seen from Ex. W3, he submitted the application before the Asst. Labour Commissioner (C) Vizag only on 11th May, 1991. Thus the said dispute was raised nearly a decade after his discharge from service and the petitioner slept over the matter for over a decade for raising his dispute. No explanation is forthcoming for such abnormal delay in raising the dispute. The claim of the petitioner after such a long time cannot be sustained. It is well settled that the Courts will not normally enquire into the belated and stale claims, as such enquiry may lead to unhealthy practice resulting in improper exercise of discretion. In 'DEHRI ROHTAS LIGHT RAILWAY CO., Vs. DISTRICT BOARD BHOJPUR' (1992-II SCC 598) their Lordships of Supreme Court observed thus :

"The rule which says that the Court may not enquire into the belated and stale claim is not a rule of law, but a rule of practice based on sound and proper exercise of discretion. Each must depend upon its own facts. It will depend on what the breach of the fundamental right and the remedy claimed are and how delay arose. The principle on which the relief to the party on the grounds of laches or delay is denied is that the rights which have accrued to others by reason of the delay in filing the petition should not be allowed to be disturbed unless there is a reasonable explanation for the delay."

As earlier stated no explanation is forthcoming on behalf of the petitioner for such long delay in raising the claim for reinstatement. Admittedly many others might have been employed as Telephone Operators subsequent to the discharge of the petitioner. By permitting the petitioner to raise this stale claim at this belated stage, it results in settled matters becoming unsettled. Therefore the claim of the petitioner cannot be entertained as it has become stale.

12. The learned counsel for the petitioner submits that in a similar case by one Sri Ramamurthy in I.D. No. 29 of 1988 against the Divl. Engineer, Telecom., DET, Bhimavaram West Godavari District, Andhra Pradesh this Tribunal upheld the demand of the workman for absorption on regular basis either as Telephone Operator or as Telecom Office Assistant and the said orders of this Tribunal were upheld by the Central Administrative Tribunal Hyderabad Bench in O.A. No. 927 of 1991 and that this petitioner is also entitled for similar treatment and similar benefits in as much as this case stands on identical footing. This argument cannot be sustained for the reason that simply because this Tribunal upheld the demand of a workman in I.D. No. 29 of 1988 it cannot be said that the petitioner herein is also entitled for the same relief. The award in I.D. No. 29 of 1988 and the order of the Central Administrative Tribunal, Hyderabad Bench in O.A. No. 927 of 1991 referred to by the learned counsel for the petitioner, are not produced before this Tribunal. It is not known under what circumstances the claim of the workman Sri G. Ramamurthy was allowed in I.D. No. 29 of 1988. We are not aware of the facts in that case. The claim of the petitioner herein is a speculative one.

13. The learned counsel for the petitioner submits that no evidence has been adduced on behalf of the Respondent who remained ex-parte and that no counter has been filed

and no rebuttal evidence has been adduced on behalf of the Respondent. It is true, for the reasons best known to him, the Respondent remained ex-parte from the beginning. But, as earlier stated the burden lies on the petitioner to establish that his termination is 'retrenchment' under the definition of Section 2(oo) of the I.D. Act. Considering the evidence on record I am of the opinion that the petitioner failed to discharge that burden and he failed to prove that his termination comes under the definition of 'retrenchment' under Section 2(oo) of the Act. His termination is only discharge simplicitor.

14. On a careful consideration of the evidence on record I have no hesitation to conclude that the discharge of the petitioner is only discharge simplicitor and it is not actuated by any motive of vindictiveness or unfair labour practice and therefore termination of the petitioner is not done within the definition of 'retrenchment' under Section 2(oo) of the Act and the Respondent need not comply with the statutory requirements under Section 25(F) of the Act and that the claim of the petitioner for reinstatement has become stale due to efflux of time. Hence I hold on the point that the action of the respondent in terminating the services of the petitioner Sri P. N. Jagannadham with effect from 2nd December, 1982 is justified. The point is thus decided in favour of the Respondent and against the Petitioner.

15. Point 2.—This point relates to the relief to be granted to the petitioner in this reference. In view of my finding on point No. 1 the petitioner is not entitled for any relief in this reference.

16. In the result award is passed stating that the action of the Respondent in terminating the services of the petitioner Sri P. N. Jagannadham w.e.f. 2nd December, 1982 is justified and the Petitioner is not entitled for any relief under this reference. The reference is thus answered. The parties are directed to bear their costs.

Dictated to the Steno-typist, transcribed by him, corrected by me, given under my hand and the seal of this Tribunal, this the 21st day of December, 1995.

A. HANUMANTHU, Industrial Tribunal
Appendix of Evidence

Witnesses Examined for the Petitioner :

W.W1—P. N. Jagannadham.

Witnesses Examined for the Respondent :

NIL.

Documents marked for the Petitioner :

Ex. W1/19-10-81—Operators 1981—1st half year.

Ex. W2/17-11-81—Engagement of Short Duty Telephone Operators.

Ex. W3/11-5-91—Copy of the complaint made to Asst. Labour Commissioner, Visakhapatnam.

Ex. W4/20-2-92—Minutes of conciliation proceedings.

Documents marked for the Respondent :

NIL.

नई दिल्ली, 13 फरवरी, 1996

का. आ. 693.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत सरकार, मिन्ट के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, बम्बई नं. 2 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-2-91 को प्राप्त हुआ था ।

[संख्या एल-16011/1/93-आई आर (डी यू)]

के. वी. बी. उस्ती, डैक्क अधिकारी

New Delhi, the 13th February, 1996

S.O. 693.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Govt. India Mint and their workmen, which was received by the Central Government on the 6-2-1996.

[No. L-16011/1/93-IR(DU)]

K. V. B. UNNY, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT 2/2 of 1995

Employers in relation to the management of
India Government Mint, Bombay.

AND

Their Workmen.

APPEARANCES :

For the Workmen.—Shri S. M. Dharap, Advocate.

For the Management.—Shri B. M. Masurkar, Advocate.

Mumbai, the 19th January, 1996

AWARD

The Government of India, Ministry of Labour by its order No. L-16011/1/93-IR(DU) dated 28-12-94 referred to the following Industrial Dispute for adjudication.

"Whether the action of the management of India Govt. Mint, Bombay in deciding to reduce the age of superannuation of the Security Personnel from 60 years to 58 years is legal and justified? If not to what relief the workman concerned are entitled?"

2. The Union filed a statement of claim at Ex. '4'.

It is contended that the security guards who were earlier in 'D' Group employees and who have been now been regrouped and put in Group 'C', are made to retire at the age of 58 years instead of at the age of 60 years. It is averred that the Government of India, Mint by the Diary Order No. 168 dated 8-10-1990 issued an order stating that consequent upon the acceptance of the Fourth Pay Commissions Recommendations, Security Guards Sr. Security Guards, Head Security Guards who were earlier Group 'D' employees have been given Group 'C' status and accordingly have to retire at the age of 58 years.

3. It is averred that all along the retirements age of the Security guard was sixty years. It was not changed in the report of the earlier pay commissions.

Suddenly after acceptance of the Fourth Pay Commissions the retirements age is so changed. It is averred that after perusal of the Fourth Pay Commission it could be seen that there is no such change of retirements age of security guards of Mint was suggested by the Commission. The Pay Commission suggested the classification as groups on the basis of the pay scales. It is averred that the basic change in the classification of employee was never intended by the Fourth Pay Commission, in the case of security guards of the Government of India Mint, Bombay. It is averred that no comparison could be made between the Central Industrial Security Force and security employees of the Mint. It is therefore, a reclassification was totally uncalled for. It is averred that Fourth Pay Commission has never specifically recommended that the security staff of India Government Mint, Bombay should be reclassified from Group 'D' to Group 'C'.

4. The Union pleaded that the age of retirement being a condition of service there is a violation of the provisions of section 9A of the Industrial Disputes Act of 1947. No notice contemplated under the said section was given prior to making change in the retirement age. It is therefore, a Diary Order No. 168 dated 8-10-1990 is void, illegal and bad in law.

5. The Union averred that the Fourth Pay Commissions recommendations were not totally implemented. It is averred that the concerned security guards being the employees of the Industrial establishment the provisions of the Industrial Disputes Act over ride the provisions regarding the rules as well as recommendations of the Fourth Pay Commission. For all these reasons it is prayed that the action is unjustified. The security guards who were made to retire on the basis of the said order should be treated in service with monetary benefits and others should not be made to retire on the basis of the said order.

6. The management resisted the claim by the written statement Ex. '8'. It is averred that the Fourth Pay Commission recommended classifications in the groups on the basis of the scale of pay. It is recommended that the post carrying maximum of the scale of pay over Rs. 1,150 but less than Rs. 2,900 has to be classified as Group 'C' w.e.f. 1-1-1986. This recommendation was accepted by the Government and implemented w.e.f. 8-10-1990. It is averred that this action of the Opponent was as per recommendation of the Fourth Pay Commission. It is submitted that both the recommendations regarding pay scale were implemented w.e.f. 1-1-1986. A decision to reclassify the security guards from Group 'D' to Group 'C' was somehow delayed and the same was implemented w.e.f. 8-10-1990. It is averred that the classification of service of post in para 26.49 is a General classification applicable to the employees not covered under para 10.258 wise BSF and CRPF only. It is submitted that the action of reducing the age of retirement of security guards is on the basis of Fourth Pay Commission.

7. It is submitted that no notice contemplated under section 9A of the Industrial Dispute Act is required to be given as the security guards falls under proviso. It is submitted that as there is no

application of section 9A of the Industrial Disputes Act and there is no question of any other provision of the Act having overriding effect over the rules. Under such circumstances it is submitted that the applicants were rightly retired at the age of 58 years. The age of retirement for group 'C' employees is 58 years and as such the question of paying salary and other benefits to the persons who were already made to retire on the basis of the said order does not arise.

8. The issues that fall for my consideration and my finding thereon are as follows :

Issues	Findings
1. Where there is a violation of provisions of section 9A of the Industrial Disputes Act ?	No
2. Whether the action of the mgt. of India Government Mint, Bombay in deciding to reduce the age of superannuation of the security personnel from 60 years to 58 years is legal and justified ?	The action is not legal and justified
3. If not, to what relief the workmen concerned are entitled ?	As per final Order

REASONS

9. Mr. Dharap the Learned Advocate for the Union argued that there is a violation of the provisions of section 9A of the I.D. Act of 1947, and amounted to change in the condition of service and is void. There is no dispute that retirement age is a service condition. Mr. Masurkar the Learned Advocate for the management argued that the argument advanced by Mr. Dharap the Learned Advocate for the Union is without any base. I find substance in the argument of the Learned Advocate for the management. Section 9A of the I.D. Act deals with notice of change. The provisions of this section states that provided no notice shall be required for effecting any such change where the workmen likely to be effected by the change was a person whom the fundamental and supplementary rules Civil service classification control and appellate rules apply. It was argued on behalf of the Union that there should be a notification on behalf of the appropriate government in the official gazette then no notice is required. This argument has no merit. The proviso dispense that the requirement of the notice in the case mentioned in Clause (a) and (b). Clause (b) has given different criterias. One of them is application of fundamental and supplementary rules.

The security guards are governed with fundamental and supplementary rules. Naturally no notice is required to be given for a change under section 9A of the I.D. Act. It can be seen that apart from the rules enumerated in Clause 'B' of the provisions Government has also given further paras to include in other rules and regulations in this category by notification in the official gazette. I therefore find that there is no merit in the argument that there is a violation of section 9A of the Industrial Disputes Act.

10. The Union examined F. D'Costa (Ex. 9), the General Secretary of the Union. He affirmed as per the Statement of Claim. He is not a member of the Security guard. He does not know the pay scale of the security guard nor he knows the fundamental rule 56. He does not know whether that rule is applicable to the security guard or not. It can be seen that except affirming the statement of claim his testimony does not lead to anywhere. As the case rests upon the documents on the record the oral evidence has no relevancy.

11. S. K. Barman (Ex. 12), Assistant Director (Cost) had affirmed as what is stated in the written statement. From his cross examination it has come on the record that he is not aware of any circular by which classification is abolished and replaced by groups. He is not aware if the Fourth Pay Commission's recommendations in respect of the age of retirement are rejected by the Government. He also does not know whether the fundamental rules were amended after the Fourth Pay Commission or not

12. The Fourth Central Pay Commission was established in the year 1983. It is not in dispute that its report was accepted on 1-1-1986. This is also in case relating to the security guards. But so far as their age of retirement was concerned it remained to be sixty years and was not reduced to 58 years till 8-10-1990.

13. Ex. '5/3' is the Bombay Mint Diary Order No. 168 dated 8-10-1990. It reads :

"Consequent upon the acceptance of the 4th Pay Commission Recommendations Security Guards|Sr. Security Guards|Head Security Guards who were earlier Group 'D' employees have been given Group 'C' status and accordingly have to retire at the age of 58 years.

The posts of Security Guards, Sr. Security Guards and Head Security Guards either to classified as Group 'D' in this Mint are therefore hereby reclassified as Group 'C' and that the retirement age would be 58 years."

14. From this Diary Order it reveals that due to the acceptance of the Fourth Pay Commission's Recommendations the Security guards who were earlier in Group 'D' employees have been given Group 'C' which resulted in to their age of retirement as 58 years. Now it has to be seen whether this analysis is correct.

15. Mr. Dharap, the Learned Advocate for the Union argued that the Fourth Pay Commission no where recommended reduction of the retirement age of the security guards from 60 years to 58 years. Chapter 19 of the 4th Pay Commission deals with age of superannuation and Voluntary retirement. para 19.1 states that Civilian employees retired at the age of 58 years except some categories. Some categories also retired at the age of 55 years. In para 19.2 it is mentioned that in regard to Group 'D' employees indeed the age of retirement is either the same as for other employees or higher up to 60 years. Para 19.3 deals with the submissions which were made before the commissions that the age of

retirement should be 60 years. It is also mentioned in the said para that the demand was to increase the age of retirement of all cadres to 60 years. In para 19.7 they had referred to the Third Pay Commissions and its recommendations regarding group 'D' outside the Railways who retire at the age 60 years. In Railways they retire at the age of 58. It was suggested that this disparity should be removed.

16. Paragraph 19.9 deals with the disparity in the age of superannuation of a personnel of a Central Police Organisation and other similar forces. In paragraph 19.10 it is observed by the Commission that Lowering of the age of retirement will not only adversely affect the pensionary benefits of a personnel of these forces but may also create resentment problems. In the said paragraph the Commission observed the apprehensive review on the lines mentioned above is necessary and they recommended that the Government should examine the matter as whole with due regard to the requirements of each organisation. In other words what is observed by the Commission in this para is that the government has to think over the matter in respect of the retirement age looking to the different circumstances mentioned in paragraph 19.10. After perusal of these paragraphs in this chapter it is initially suggested that the retirement age of the security guard of Bombay Mint has to be reduced from the age of 60 to 58 years.

17. Chapter 26 deals with leave and other facilities. Paragraph 8 of this chapter deals with classification of service and posts. Civil service and posts under the Central Government are classified under four groups i.e. A, B, C & D. Paragraph 26.50 states that there are however some expectation to the above classification where grouping does not strictly follow this pattern. Postmen, Mail Guards, Wiremen, Linemen, and border security force constables who are in the scale of Rs. 210—270 have been classified as group 'C'. Similarly assistants in the Central Secretariat in the scale of Rs. 425—800 have been placed in Group 'B' (nongazetted). Foreman in the ordnance factories in the pay scale of Rs. 840-1040 have been included in Group 'C'. Paragraph 26.52 states that the commission observed that the present system to be continued and the revised group wise classification may be as follows. Then they have given the groups A, B, C & D on the basis of the pay scale. In Group 'C' it is observed that Central Civil Post carrying the pay or a scale of pay with a maximum over Rs. 1,150/- but less than Rs. 2,900/-. Admittedly the security guards fall in the group 'C'. The commission has also observed that where there are definition of the nature mentioned in paragraph 26.50 which I have referred above the existing classification for these posts may continue. The Government may however review the classification in such cases as and when necessary. In other words the commission was of the view that if there is a different classification it has to continue unless the government reviews it. It can be seen that as per the argument of the management the Government accepted the recommendations of the classification in groups and implemented it from 8-10-90. By accepting this at the most it can be said that security guards fall under the Group 'C'. This nomenclature does not change the date of their retirement. The argument of Mr. Dharap the Learned Advocate of the union that

these security guards were employed earlier and by this order no retrospective effect could be made has no merit. It is because whenever change are their in the rules they are to be made applicable. It is not that when the security guards were appointed. In the appointment letter it is mentioned that they will be retiring at the age of sixty. But they are fundamental rules as applicable from time to time.

18. Paragraph 10.255 deals with Central Police Organisations. That para speaks of uniformity of the pay scale of the five Central Police Organisations.

19. Paragraph 10.258 which comes under the Chapter "Ministries and Departments" states that opinion to have uniform code of discipline in the forces Ministerial staff has been combatised. It is observed there in due to combatism the retirement age gets reduced by three years in respect of Group 'B' and 'C' non gazetted employees and by five years in respect of Group 'D' employees in BSF and CRPF. These two organisations have suggested that age of superannuation may be retained at 58 years even after combatisation. Ministry of Home Affairs have referred the matter for commissions consideration. The Commission was of the view that it is desirable that after combatisation all its consequences should follow and the commission recommended accordingly. In other words here also only after Ministry of Home Affairs referred the matter regarding the age of Super Annuation of these groups commission had give the opinion. So far as the security guards of India Government Mint, Bombay is concerned no such opinion regarding the superannuation age is given by the commission not it was asked for.

20. Under chapter 10 i.e. Ministries and Departments there is a heading namely Ministry and Finance. Paragraph 10.173 states that Bombay and Calcutta mints have their own security arrangements. It was urged before the Commission that the security staff may be given the pay scales which are applicable to the Central Industrial Security Force Personnel. The Commission considered the matter and recommended the pay scales. It can be seen that here also there is no reference of age.

21. From the above said discussion it has to be said that when the security guards pay scales were changed their age of retirements was not changed by the commission. There is no mention in any of the chapters or particularly in chapter 19 which deals with superannuation, there is no reference of security guards superannuation age.

22. Mr. Masurkar, the Learned Advocate for the management argued that as these security guards are taken in group 'C' from Group 'D', in view of fundamental rules 56 they are liable to be retired at the age of 58 years. Fundamental Rule 56(A) states that except other wise provided in this rule every government servant shall retire from the service on the afternoon on last day of the month in which he attains the age of 58 years. He further argued that now Fundamental Rules 56(E) is not applicable to the security guards. It states the Government servant in Class-IV service or post shall retire from service on the afternoon on the last day of the month in which he attains the age of 60 years. According to him prior to 8-10-1990

these security guards were in Group 'D' i.e. Class-IV servants and were retired at the age of 60 years. And now they are in group 'C'. Therefore fundamental rule 56 (A) applies to them. I find that as there is no suggestion by the Fourth Pay Commission in changing the retirement age of the security guards of Bombay Mint even though the group has changed they cannot be made to retire at the age of 58 years. It is so because the Diary Order No. 168 was issued on the basis of the acceptance of the 4th Pay Commissions recommendations. I have already observed above the commission had retained the age of retirement of different categories as it is and suggested the government that the parity should be removed. In other words the government has to take action and issue order to that affect. Here in this case there is no record to show that the Government has taken action to change the age of retirement of the security guards from 58-60 years. As this is so there cannot be a application of Fundamental Rule 54(a).

23. Mr. Dharap the Learned Advocate for the Union argued that these security guards are the workmen as defined in Fundamental Rule 56(b). He therefore submitted that their age of retirement is 60 years. I am not inclined to accept this argument. It is because not to paragraph of the fundamental rule 56(b) states that in this clause the workman means a highly skilled, semi skilled or unskilled artisan employed on a monthly rate of pay in an Industry or Work Charged establishments. The security guards do not fall under any of the categories. It is therefore, they do not fall under the purview of FR-56(b). For all these reasons I record my findings on the issues accordingly and pass the following Order.

ORDER

1. The action of the Management of India Government Mint, Bombay in deciding to reduce the age of superannuation of the Security Personnel from 60 years to 58 years is not legal and justified.
2. The Management is directed to treat the Security guards in service who are made to retire on or after 8-10-1990 treating the age of retirement as 58 years.
3. The management is directed to treat the above said security guards in service till they attain the age of 60 years.
4. The management is directed to pay them all monetary benefits.
5. The management has to pay Rs. 300/- as the cost of this reference to the Union and to bear its own.

S. B. PANSE, Presiding Officer.

नई दिल्ली, 13 फरवरी, 1996

का. अ. 694.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर्थनम फैक्ट्री के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक 450 GI/96-7

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-2-96 को प्राप्त हुआ था।

[संख्या एल-14011/18/91-आई आर (डी यू)]

के. वि. बी. उष्णी, डेस्क अधिकारी

New Delhi, the 13th February, 1996

S.O. 694.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabal Pur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Ordnance Factory and their workmen, which was received by the Central Government on the 6-2-1996

[No. L-14011/18/91-IR (DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT.
JABALPUR (M.P.)

CASE REF. NO. CGIT/LC(R)(241)/1993

BETWEEN :

1. The General Secretary, Ordnance Factory, Khamaria Workers Union, Ordnance Factory, Jabalpur (M.P.)-482005.
2. The General Secretary, Suraksha Karamchari union, Type-II, East Land, Ordnance Factory, Khamaria Estate, Khamaria, Jabalpur (M.P.)-482005.
3. The General Secretary, O. F. K. Janta Union I-5, Industrial Colony Kanchghar, Jabalpur (M.P.)-482005.
4. The General Secretary, Ordnance Labour Union 10/21, Hospital Qr. Khamaria, Jabalpur (M.P.)-482005.
5. The General Secretary, O. F. K. Kamgar Union, 40/3, Type-II, Ordnance Factory, Khamaria Estate, Jabalpur (M.P.)-482005.

AND

The General Manager, Ordnance Factory, Khamaria, Jabalpur (M.P.).

PRESIDED IN :

By Shri Arvind Kumar Awasthy.

APPEARANCES :

For Unions : None.

For Management : Shri B. Da'Silva, Advocate
INDUSTRY Ordnance Factory

DISTRICT : Jabalpur (M.P.).

AWARD

Dated : JANUARY, 30, 1996.

This is a reference made by the Central Government, Ministry of Labour, New Delhi, vide its Noti-

fication No. L-14011/18/91-IR(DU), dated 30-11-1993, for adjudication of the following industrial dispute :—

THE SCHEDULE

“क्या प्रबंधन अर्द्धवेग फैक्ट्री, खमरिया, जबलपुर (स.प्र.) द्वारा संस्थान में कार्यरत कर्मचारियों का ओवरटाइम अनिवार्य अवधि के लिये बंद करना, शो-काज नोटिस जारी करने एवं अन्य दंडात्मक कार्यवाही करने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित कर्मचारीगण किम अनुरोध के हकदार है।”

(2) “क्या अर्द्धवेग फैक्ट्री खमरिया के प्रबंधकों द्वारा संस्थान में उच्च-कुशल ग्रेड-1, ए मास्टर अप्रेंटिस एवं उच्च कुशल ग्रेड-2 के पद पर भर्ती न करने, अर्द्ध-कुशल श्रमिक जिन्होंने तीन वर्ष की सेवा पूर्ण कर ली हो, उन्हें पदोन्नत न करने, 10 वर्ष में एक ही ग्रेड में कार्यरत वर्कशॉप के कर्मचारियों को पदोन्नति न देने की कार्यवाही न्यायोचित है। यदि नहीं तो संबंधित कर्मचारीगण किम अनुरोध के हकदार है।”

3. Notice to the parties were issued on 3-12-1993 for filing the statement of claim. The workmen appeared on some hearings and prayed for time to file the statement of claim. Thereafter, the management filed the statement of claim and the Unions remained absent. It is clear that the workmen/unions are not interested in pursuing the dispute. Consequently, no dispute award is passed. No order as to costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 15 फरवरी, 1996

का. आ. 695.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स मैंगनीज एण्ड और इण्डिया लि० मुम्बई के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-2-96 को प्राप्त हुआ था।

[सं. एन-29012/43/92-आईआर (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 15th February, 1996

S.O. 695.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Mangnese and Ore India Ltd., Mumbai and their workmen, which was received by the Central Government on the 13-2-1996.

[NO. L-29012/43/92-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2.
MUMBAI

PRESENT :

Shri S. B. PANSE, Presiding Officer.

REFERENCE NO. CGIT-2/34 OF 1993.
EMPLOYER IN RELATION TO THE MANAGE-
MENT OF MANGANESE AND ORE
INDIA LIMITED

AND

THEIR WORKMEN

APPEARANCES :

For the Workmen : No Appearance

For the Employer : No Appearance.

Mumbai, dated 29th January, 1996

AWARD

The Government of India, Ministry of Labour by its Order No. L-29012/43/92-IR(Misc.), dated 18-3-1993 had referred to the following Industrial Dispute for adjudication.

“Whether the action of the management of Bharveli Mine of M.O.I.L., Nagpur in dismissing Shri Kheduram Sarbati, ex-unskilled worker of Balaghat Manages Mine w.e.f. 31-3-1991 justified? If not to what relief the workman is entitled?”

2. The workman Shri Keduram Sarbati Ex Unskilled worker of Balaghat Mangnese Mines filed a Statement of Claim through the Union. He contended that the Domestic inquiry which was held against the principles of Natural Justice. It is pleaded that the alleged mis-conduct was not deliberate nor he was aware that what was taking place. It is averred that the punishment imposed is disproportionate to the charges proved. Under such circumstances it is submitted that the order of dismissal may be set aside and the worker may be reinstated in service with continuity with full back wages and other reliefs.

3. The management resisted the claim by the written statement Ex-‘5’. It is averred that the domestic inquiry which was conducted against the workman was as per the principles of Natural Justice. It is denied that the punishment which was awarded to the worker was disproportionate to the charges proves. It is submitted that there is no substance in the claim of the worker and it is liable to be rejected.

4. The issues were also framed at Ex-‘7’

5. When the matter was for hearing the management sent a letter (Ex-8), dated Nil informing the court that the worker expired on 27-10-1992. The death certificate issued by the concerned authority was sent alongwith the said application. A notice was ordered to be issued to the Union. The Union was sent a notice dated 23-11-1995 calling upon it to file a say regarding (Ex-8). More particularly

the assertion to the death of the worker. It was duly served on the union. The acknowledgment received is on the record. But no suit was filed. Under such circumstances it has to be accepted that the said worker expired on 27-10-1992. His legal representative was not brought on the record. Hence I pass the following order :—

ORDER

1. The reference is disposed off for want of prosecution.
2. The action of the management of Bharavli Mines of MOIL Nagpur in dismissing Shri Keduram Sarbati Ex-Unskilled worker of Balaghat Managanesse Mines w.c.f. 31-3-1991 is justified.

S. B. PANSE, Presiding Officer.

नई दिल्ली, 15 फरवरी, 1996

का. प्रा. 696.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बेंगलूरि लिगनाईट कारपोरेशन लि. नेवेली के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-2-96 को प्राप्त हुआ था।

[संख्या एल-29012/7/89—ग्राईमर(विविध)]

बी.एम. डेविड, डैस्क अधिकारी

New Delhi, the 15th February, 1996

S.O. 696.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Madras as shown in the Annexure in the industrial dispute between the employers in relation to the management of Neyveli Lignite Corporation Ltd. P.O. Neyveli-607801 and their workmen, which was received by the Central Government on 12th February, 1996.

[No. L-29012/7/89-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
MADRAS

Wednesday, the 6th day of December, 1995

PRESENT :

Thiru N. Subramanian, B.A.B.L., Industrial Tribunal.
Industrial Dispute No. 54/1989

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workmen and the Management of Neyveli Lignite Corporation Ltd., Neyveli)

BETWEEN

- Shri D. Chinnasamy,
Moolakuppam, East Street (Via),
Vadaloor, Pin-607303,
(Deceased Petitioner).
2. D. Chellapangi : Wife of deceased.
3. D. C. Sekar
4. D. C. Chinnaiyan

5. Rajamani
6. Kalvi
7. Kamala.

(Impleaded as Legal representatives as per Order in Misc. Appn. No. 75/93 dated 22-2-94).

AND

The Chairman,
Neyveli Lignite Corporation Ltd.,
P.O. Neyveli-607801,
South Arcot Dist.

REFERENCE :

Order No. L-29012/7/89-IR (Misc), dated 12-6-1989
Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Tuesday, the 21st day of November, 1995 upon perusing the reference, Claim and Counter statements and all other material papers on record, and upon hearing the arguments of Tvl. Don Bosco Sam and N. Selvarajan Advocate appearing for legal heirs of the deceased workman and of Tvl. K. R. Tamizhman, and K. Paramaraj, Advocates appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following

AWARD

The Government of India, by its Letter No. L-29012/7/89-IR (Misc), dated 12-6-89, referred for adjudication under Section 10(1)(d) of the I. D. Act, 1947 regarding the dispute :

"Whether the Management of Neyveli Lignite Corporation Ltd., is justified in removing Shri D. Chinnasamy, Technician Grade IV from service w.c.f. 21-10-86. If not, what relief is the concerned workman entitled to?"

After services of notices, both parties filed their Claim statement and Counter statement respectively.

2. The case of petitioner is follows :

The petitioner was employed from 15-9-86 to 21-10-86. At the time of his removal, he was working as Technical Grade IV, Track Shifting Division. During the entire service of 22 years, the petitioner had discharged his duties and responsibilities satisfactorily. The respondent issued a charge memo on 21-10-86 alleging that on 11-10-86 at about 6.00 p.m. the petitioner and three others committed theft of track pin from the respondent factory. The petitioner was placed under suspension from 21-10-86 pending enquiry. The petitioner submitted his explanation on 4-11-86 denying the charges. Domestic enquiry was conducted. On the findings of the Enquiry Officer, respondent accepting the findings issued a final Show Cause notice dated 16-4-87 directing the petitioner to explain as to why the punishment of dismissal should not be imposed. The petitioner submitted his explanation without properly considering the explanation, the respondent removed him from service on 31-10-87 w.c.f. 21-10-86. The enquiry conducted by the respondent is contrary to the principles of natural justice. The petitioner was not given adequate, proper and reasonable opportunity to defend his case. The respondent did not allow the petitioner to have the assistance of a lawyer or an Officer bearer of his Union to participate in the enquiry. The Enquiry Officer acted as a Prosecutor and Judge. The petitioner preferred an appeal against the order of dismissal. In the Criminal Case filed by the respondent before the II Class Judicial Magistrate, Neyveli, the petitioner was acquitted. The respondent failed to take cognizance of the Judgement of the Criminal Court. The respondent failed to consider the past record of 22 years of service of the petitioner. The punishment imposed by the respondent is excess, severe, disproportionate to the charge. Hence the order of dismissal may be set aside and the petitioner may be reinstated with full back wages and other benefits.

3. The respondent filed his counter contending that petitioner was employed as a Technician Grade IV. On 11-10-86 at about 6.00 p.m. the petitioner was found alongwith 3 outsiders stealing and carrying Corporation materials for personal use. When it was apprehended by the Security, he alongwith another individual ran away from the spot. However, his son Sekar, and another individual were caught red handed by the Security. They have given voluntary statement admitting their involvement in the theft. They have also stated, among the two persons ran away, this petitioner was one. The petitioner was placed under suspension from 21-10-86. A charge sheet was issued as per the Certified Standing Orders. The petitioner offered his reply in writing wherein he has not denied the charges. In order to comply with the principles of natural justice, a domestic enquiry was conducted. The Enquiry Officer before commencing the enquiry, permitted the petitioner to engage a representative of his choice to defend him during the enquiry. But the petitioner declined to engage any representative. The respondent-corporation is engaged in mining Lignite and production of other essential items. The industry has spread over in a vast area. Some of the Corporation stores are perhaps kept in open area around the place of work and operation areas. The Corporation cannot be in a position to keep an employee of doubtful integrity in its service. Taking into consideration all the above facts, and the findings of the Enquiry Officer, the Disciplinary authority passed his final orders. Enquiry was conducted in a fair and proper manner. The petitioner was given all opportunities to defend his case. On behalf of the Management four witnesses were examined and on the side of the petitioner two witnesses were examined. On the findings of the Enquiry Officer, provisional show cause notice was issued. Petitioner offered his explanation. On account of the theft of Corporation materials, a Criminal prosecution was launched against the petitioner, his son and other two persons. The Criminal case was ended in acquittal giving benefit of doubt to the accused. The order of termination by the department is prior to the completion of the Criminal case. As per Rules of the Corporation, the petitioner cannot have the assistance of a lawyer in a domestic enquiry. The punishment imposed on the petitioner is just and proportionate to the gravity of the misconduct committed by the petitioner. Hence the claim of the petitioner may be dismissed.

4. The claimant workman has died during the pendency of the proceedings on 31-1-93. His legal representatives were impleaded as petitioners. They have filed an additional claim statement and put forth the very same contention raised by the original petitioner. The respondent filed his additional counter denying all the allegations. Exhibits W-1 to W-8 and M-1 marked through WW-1 and Exhibits M-2 to M-14 were marked through MW-1.

5. The Point for consideration is : Whether the Management of Neyveli Lignite Corporation Ltd., Neyveli is justified in removing Sri D. Chinnasami, Technician Grade IV from service w.e.f. 21-10-86 ? If not, what relief is the concerned workman entitled to ?

6. The Point.—The petitioner was working as Technician Grade IV in respondent-Corporation. He was employed on 15-9-1966. The charge levelled against the petitioner is that on 11-10-86 at about 6.00 p.m. this petitioner was seen along with 3 others carrying track pins from the Scrap yard area by the Crime branch men of the Security. One C. Sekar and another R. Sekar were caught red handed by the Security men. The petitioner and the other one Gopal escaped leaving behind 2 track pins stolen by them. A preliminary interrogation carried out by the Security in the presence of two independent officers revealed that the petitioner and others were involved in a series of thefts over a period of time. The case has been registered against the petitioner and others by Neyveli Police in Crime No. 323/86 u/s. 379 of I.P.C. on 12-10-86. Pending enquiry, he was suspended. Ex. M-4 is the charge sheet with the suspension order. A Show cause notice Ex. M-5 was issued on 21-10-86. The petitioner submitted his explanation Ex. M-6. Domestic enquiry was conducted. Ex. M-8 is the enquiry proceedings, and Ex. M-9 is the findings of the Enquiry Officer. Subsequently a provisional Show Cause notice Ex. M-10 was issued. After receipt of the representation Ex. M-1, he was finally dismissed from service on 31-10-87 under Ex. M-12. The petitioner preferred an appeal under Ex. M-13 and the appeal was dismissed as per Order Ex. M-14. It is contended by

the petitioner's counsel, there is no evidence to prove that this petitioner had committed theft of track pins as alleged in the charge sheet. In the enquiry on the side of the Management four witnesses were examined. PWs-1 and 2 are the alleged eye witnesses for the occurrence. As contended by the petitioner's counsel, even PW-1 and PW-2 did not say in their evidence that two persons who ran away are the petitioner and another Gopal. If really PWs-1 and 2 had seen the occurrence, they would have identified the persons particularly, the petitioner who is an employee of the Corporation. Their evidence is they came to know on interrogation of two persons they caught red handed that the escaped persons are the petitioner and one Gopal. The statement alleged to have been recorded from C. Sekar, S/o petitioner, M-1 and another statement from R. Sekar, M-3. They have implicated this petitioner and another Gopal in their statement. These statements were alleged to have been recorded by PW-4. Curiously in this case there is no report from the security men who caught hold of the two persons and who witnessed the occurrence. Ex. M-2 is the alleged report given by the Deputy Security Officer. In Ex. M-2, originally the date has been put as 12-10-86 and subsequently it has been corrected as 11-10-86. But the report has been given on 13-10-86. In Ex. M-2 in subject, date has been put as 12-10-86. Naturally, the Security Guards who caught red handed the two persons and saw the occurrence ought to have given a report what they have seen on the date of the incident. Except the statement of the two persons, alleged to have been caught by the Security men, there is no evidence to this petitioner in the alleged commission of theft. Ex. M-1 and M-3 are the statements of the co-accused. There must be a proper identification before coming to the conclusion that the petitioner has committed this offence. Admittedly, the Criminal case filed against this petitioner and other by the Neyveli Police ended in acquittal giving the benefit of doubt to the accused. Ex. W-1 is the certified copy of the Judgement of the Criminal Court. Before imposing a punishment of dismissal there must be sufficient and reliable evidence to prove the charge against the petitioner. On the other hand, it is contended by the petitioner that his son and others were taken from their house and the statements were forcibly recorded. He has also examined two witnesses on his side. Even leaving the defence witness as interested witnesses, the prosecution must prove the case beyond doubt. It is not the case of the prosecution that there is no eye witness for the occurrence. PWs-1 and 2 are said to be eye witnesses who chased and caught hold of two persons. They are not saying that they saw this petitioner was one among the persons who ran away leaving the track pins. Merely because his son is alleged to have given a statement implicating the petitioner, it cannot be taken as a gospel truth without any corroboration. Further the track pins alleged to have been taken by this petitioner was not produced before the Enquiry Officer and marked. In a case of theft, property alleged to have been committed theft of must be produced before the Enquiry Officer and also must be identified by the Management that property belongs to the Corporation. Even though the two track pins left by the escaped persons were seized and produced before the Officers, they were not produced before the Enquiry Officer. Therefore, there is no reliable evidence on the side of the Management, except the statement of the co-accused that this petitioner was also involved in the commission of offence. So, the findings of the Enquiry Officer that this petitioner committed theft is without sufficient evidence. Hence the findings of the Enquiry Officer is a perverse one and therefore the dismissal by the Disciplinary authority based on the perverse findings of the Enquiry Officer is not valid.

—jgssion

In the result, the dismissal order Ex. M-12 dated 31-10-1987 is set aside. Since the petitioner died on 31-1-93, the question of reinstatement will not arise. The legal representative of the deceased petitioner are entitled to the financial benefits viz., the back wages of the deceased petitioner from the date of order of dismissal till his death i.e. 31-1-93. The respondent is directed to pay the legal representatives of the deceased petitioner the back wages of the petitioner from the date of his dismissal till his date of death and other financial benefits. An award is passed accordingly.

Dated, this the 6th day of December, 1995.

THIRU N. SUBRAMANIAN, Industrial Tribunal

WITNESSES EXAMINED

For Workmen :

WW-1—Thiru C. Sekar.

For Management :

MW-1—Thiru D. Krishna Iyer.

DOCUMENTS MARKED

For Workman :

Ex. W-1/29-2-88—Certified copy of Judgement of II Class Magistrate, Neyveli in Case No. 452/87 (Xerox copy).

Ex. W-2/15-9-87—Memo issued to the Petitioner-worker Thiru D. Chinnasamy.

Ex. W-3/31-10-87—Order of removal issued to the Worker.

Ex. W-4/16-4-87—Show Cause Notice issued to the worker and findings of the Enquiry Officer.

Ex. W-5/29-2-88—Original of Ex. W-1.

Ex. W-6/29-8-88—Letter from the worker to the Deputy Commissioner of Labour, Madras.

Ex. W-7/ —Standing Orders of the Management (Printed copy).

Ex. W-8/28-5-85—Orders of promotion issued to the worker (copy).

For Management :

Ex. M-1/11-10-86—Statement of Thiru C. Sekar (Xerox copy).

Ex. M-2/13-10-86—Report of Deputy Security Officer (Mines-I), against the worker (Xerox copy).

Ex. M-3/11-10-86—Statement of Thiru R. Sekar (Xerox copy).

Ex. M-4/21-10-86—Suspension order issued to the worker (Xerox copy).

Ex. M-5/21-10-86—Show Cause Notice issued to the worker (Xerox copy).

Ex. M-6/6-11-86—Explanation of the workmen (Xerox copy).

Ex. M-7/series—Enquiry notices dated 17-11-86, 19-11-86, 27-11-86, 15-12-86, 31-12-86 and 31-1-87 (Xerox copy).

Ex. M-8/ —Proceedings of the Enquiry Officer (Xerox copy).

Ex. M-9/ —Findings of the Enquiry Officer (Xerox copy).

Ex. M-10/16-4-87—Second Show Cause Notice issued to the worker (Xerox copy).

Ex. M-11/8-5-87—Explanation by the workman to Ex. M-10 (Xerox copy).

Ex. M-12/31-10-87—Order of removal (Xerox copy).

Ex. M-13/15-4-88—Appeal preferred by the workman against his removal order (Xerox copy).

Ex. M-14/23-5-88—Order of Appellate Authority (Xerox copy).

नई दिल्ली, 16 फरवरी, 1996

का.आ. 697—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार नार्दन रेलवे के प्रत्यक्षता के संज्ञक नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक

विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन-33(21)/86-कम-1/डी2(बी)/आईआरबीआई]
के.वी.बी. उन्नी, डस्क अधिकारी

New Delhi, the 16th February, 1996

S.O. 697.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Rly. and their workman, which was received by the Central Government on the 15-2-1996

[No. L-33(21)86-Cen. 1|D-II(B)|IRBI]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI S. R. BANSAL, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

Case No. ID 2/88

Gurcharan Dass son of Medhuman, T. No. 542.
Tool Shop Northern Railway Shop, Kalka,
—Workman

Vs.

Chief Works Manager, (Additional CME), N. Rly.
Workshop Jagdhari.

2. General manager, Northern Railway, Baroda
House, New Delhi—Respondents.

For the workman :Shri V. C. Kalia
For the management : Shri N. K. Zakhmi

AWARD

The Central Govt. in exercise of the powers conferred under Section 10(1) (d) of the Industrial Disputes Act 1947, (for short called as the Act), vide their letter bearing No. 33(21)86-Cen.1|D.II(B) dated 1st February, 1988 has referred the following dispute to this Tribunal for adjudication :—

“Whether the action of management of Northern Railway in stopping three increment of Shri Gurcharan Dass, Skilled Tool Fitter w.e.f. 1-5-82 and transferring him to Kalka and denying him promotion as highly skilled tool fitter Grade II w.e.f. 1-5-82 is just and legal ? If not, to what relief is Shri Gurcharan Dass entitled to ?”

On receipt of the reference notices were issued to the workman who appeared and filed his statement of claim and demanded that order of stopping of three increments and transferring him to Kalka and denying him promotion as highly skilled tool fitter grade II w.e.f. 1-5-82 set aside.

The management appeared and filed written statement and pleaded that the order for promotion can not be issued during the pendency of the proceedings as it would tantamount to change of conditions of service which can not be changed during the pendency of these proceedings. It was also pleaded that workman was charge sheeted (SF-II) bearing No. 725-E/G-3707(Eii) dated 9-10-1981 for holding unauthorised gate meeting on 22-9-81 on Railway land without obtaining the permission of the competent authority. However he was transferred to Kalka workshop on administrative ground. On his transfer to Kalka he was required to vacate the Rly. quarter at Jagadhari Workshop but he did not vacate despite several notices. He was therefore, issued charge sheet for major punishment (SF-5) for non-vacation of Rly. quarter at Jagadhari Workshop. It is alleged that now the workman has vacated the Rly. quarter at Jagadhari Workshop on 26-3-1988. The enquiry in this case has been completed and is under the consideration of the disciplinary authority who has not yet passed any orders due to the pendency of the present proceedings. It was admitted that punishment of withholding of annual increments has been quashed by the Hon'ble Supreme Court. It was pleaded that the workman was allowed to retain the quarter up to 9-4-83 by accepting his written request for retention on account of education of his children. He had no privilege to retain Rly. quarter beyond 9-4-83 and therefore, he was treated as unauthorised occupant of the quarter beyond that date. As regards the provisions of alternative accommodation at Kalka, it was pleaded that his name was registered for allotment of quarter of Type-I, which was allotted to him at Kalka but he did not occupy the same. Now type-II quarter has since been allotted to the workman at Kalka. It was pleaded that the promotion of the workman can not be ordered as his conduct is under investigation. It was also pleaded that the workman was declared protective workman on 30-1-1984 whereas he was transferred to Kalka on 9-8-82.

The workman submitted replication controverting the allegations of the management in the written statement filed and reiterated his earlier pleas of the claim statement.

On the basis of these pleadings the workman was called upon to lead evidence. The workman appeared as WW1 and tendered his affidavit Ex. W1 and produced Ex. W2 copy of letter dated 2-3-1972 from the General Manager (personnel) New Delhi to all Divisional Supts regarding the procedure to be followed for promotion of Rly. servants, Ex. W3 copy of the order of Hon'ble Supreme Court dated 14-9-1987. During cross-examination he admitted that he was in possession of Rly. quarter in the year 1981 at Jagadhri and he was transferred to Kalka on 8-2-82 and he joined there on 20-9-82. He stated that the permission of Rly. quarter at Jagadhri was up to 9-4-1983 and that he vacated the quarter on 26-3-1988. He also admitted that he was charge sheeted for non-vacation of the Rly. quarter and penal rent was also deducted from him. He also admitted that he was offered a quarter but he refused to occupy the same. He further admitted that

he was declared as protective workman on 30-1-84. He was not aware whether enquiry of (SF-5) is still pending against him. In rebuttal the management had produced MW1 Rajiv Kishore Senior Personnel Officer Jagadhri who tendered his affidavit Ex. M1. The perusal of this affidavit Ex. M1 shows that the workman was transferred to Kalka workshop and on his transfer he was required to vacate the Rly. quarter at Jagadhri but he did not vacate despite several notices. He was therefore, charge sheeted for major punishment (SF-5) for non-vacation of quarter. It also reveals that workman had vacated Rly. quarter at Jagadhri only on 26-3-88 and he stated that enquiry in the case of the workman has been completed and it remained under the consideration of the disciplinary authority because of the pendency of the proceedings in this court. It is further revealed that the name of an employee who comes to place on transfer is registered and an allotment of the quarter is made as per the waiting list. First of all the workman is listed for allotment of Type-I quarter and the said type of quarter was initially allotted to the workman but he did not occupy the same and did not vacate the Rly. quarter at Jagadhri Workshop. It is also evident from this affidavit that the workman was charge sheeted for his act of non-vacation of Rly. quarter at Jagadhri Workshop as he was allowed to retain the quarter only up to 9-4-83. He was treated as unauthorised occupant. It also shows that the reasonable opportunity was allowed to the workman in enquiry (SF-5). Para No. 4 of this affidavit shows that the transfer of the workman to Kalka was made as per routine as both Jagadhri workshop and Kalka workshop falls under the common control of Chief Works Manager, Jagadhri workshop and inter workshop transfer is a common practice. It is also borne out that the promotion of the workman can not be made as his conduct was under investigation in terms of Rly. Board letter No. E (D&A) 71-RG6-23 dated 29-1-72. It is also evident that unless his case SF-5 is decided, he can not be promoted and his case of SF-5 could not be decided till such time his case is decided by this Court. During cross-examination MW1 Rajiv Kishore clarified that allotment of quarter is done by a different head. The witness denied that the workman was transferred as a measure of punishment as he held a gate meeting at Jagadhri.

No doubt the punishment of stoppage of three increments of the workman has been set aside by the Hon'ble Supreme Court but the same has been done on technical grounds. There is no evidence on the file to show that the act of the management in transferring the workman from Jagadhri workshop to Kalka workshop has been done as a measure of punishment. The workman admittedly became protected workman on 30-1-1984. No doubt he could be charge sheeted for unauthorised occupation of Rly. quarter at Jagadhri workshop but that is a separate matter. It is admitted position on the record that he is entitled to his promotion as highly skilled tool fitter Grade-II and his promotion orders has also been issued as would indeed become clear from Ex. W4, the perusal of which shows that the same of the workman appears at Sr. No. 19 but the plea

of the management that the promotion can not be ordered because his conduct was under investigation is now hardly a ground available with the management because the punishment imposed upon him regarding his conduct has since been set aside by the Hon'ble Supreme Court. He has therefore, become entitled to his promotion as highly skilled tool fitter grade-II with effect from the date on which he become due for the same. It is admitted position on the record that his case of (SF-5) stands finalised and the same could not be decided because of the pendency of the present proceedings. This should no longer a ground with the management now. The said case should be finalised with a period two months from the date of publication of this award. In any case his transfer from Jagadhri to Kalka work shop can not be seen as a measure of punishment and the same can not be held to be illegal.

I am thus of the clear opinion that although there is no necessity of recording finding on the action of the management in stoppage of three increments of the workman on account of the orders of the hon'ble Supreme Court, but the act of the management in transferring him to Kalka is perfectly legal and valid. However the act of the management in denying him promotion as highly skilled tool fitter grade-II with effect from the date it become due to him is illegal and he is entitled to this promotion from the due date. This reference is partially answered in favour of the workman and partially in favour of the management.

Appropriate Govt. be informed.

Chandigarh.

31-1-1996.

S. R. BANSAL, Presiding Officer

नई दिल्ली, 16 फरवरी, 1996

का. अ. 698 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन-12012/546/86-डी II (ए) आईआरबीआई
के. वी. बी. उन्नी, डस्क अधिकारी

New Delhi, the 16th February, 1996

S.O. 698.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SBI and their workman, which was received by the Central Government on the 15-2-1996.

[No. L-12012/546/86-D-II(A)]IRBI
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI S. R. BANSAL, PRESIDING
OFFICER CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT.

CHANDIGARH

Case No. ID 82/87

G. D. Banger C/O Shri Tek Chand Sharma, 25, Sant
Nagar, Civil Lines, Ludhiana. Workman

VS.

Regional manager State Bank of India, Regional
Office Punjab, Section 17, Chandigarh. Respondent

For the workman :

For the management : None

AWARD

The Central Govt. vide letter bearing no. L-12012/546/86-D. II(A) dated 7th September 1987, in exercise of the power conferred by clause of sub section 1 of section 10 of the Industrial Disputes Act 1947 (for short called as the Act) (14 of 1947), has referred the dispute between the workman G. D. Banger and the management of State bank of India to this court for adjudication :—

“Whether the action of the management of State Bank of India in dismissing from service Shri G. D. Banger, typist-clerk, Amritsar Branch w.e.f. 22-3-1982 is justified ? If not to what relief the concerned workman is entitled ?”

On receipt of reference, notice was sent to the workman who appeared and submitted his statement of claim and pleaded therein that he joined the service of the management as clerk and in May 1981 proceeded on leave due to illness. The management however charge sheeted him vide letter No. BMR/408 dated 13-11-1981. The said charge sheet was illegal having been signed by the branch manager who was not competent to sign the same. The workman however filed reply to the charge sheet which was not considered and enquiry was ordered to be held by Shri B. K. Vig, Enquiry Officer. The enquiry officer completed the enquiry in one day. The management did not examine even a single witness during the enquiry. The enquiry was merely a formality and the workman was denied the opportunity of leading the evidence. The disciplinary authority did not apply its mind and proceeded against the workman in an unjustified and discriminatory manner and terminated the services of the workman vide order DAC/82/620 dated 30-6-82 without fair and proper enquiry and the appeal of the workman against the said order was also rejected. It is alleged that no notice as required under para 18 : 20(12) of Desai Award was displayed on the notice board nor the appointment of the enquiry officer was conveyed to the workman. The workman submitted reply to the show cause notice which was not considered by the disciplinary authority. It is alleged that the action of the management is illegal and unjustified and against the provisions of the law and Bipartite Settlement. He, therefore, demanded his reinstatement with continuity of service and back wages.

The management however in the written statement filed pleaded that the workman was charge sheeted on 13-11-1981 vide letter No. Memo/BMR/908 on the charges that during the period from 14-05-81 to 13-10-1981 he had unauthorisedly/intermittently absented from duty for 123 days, further during the period 8-6-81 to 2-9-81 he had negotiated on different dates 13 cheques without having sufficient balance in his account. He was wilfully done by him and with a view to utilise the Bank's money unauthorisedly/deceitfully. The reply submitted by the workman to the charge sheet was found unsatisfactory and it was decided to hold departmental enquiry in the matter. Shri B. K. Vig, Enquiry Officer MMGS-II was appointed as enquiry officer who submitted his enquiry report on 5-3-82 holding the workman guilty of the charges. On the basis of findings submitted, opportunity of personal hearing was also afforded to the workman twice, but the workman did not avail of the same. In short the plea raised by the management is that the services of the workman were dismissed after conducting a fair and proper enquiry as per provisions of law and therefore, the workman is not entitled to any relief.

On the basis of the pleadings, the workman was called upon to lead evidence. He appeared as WW1 and tendered his affidavit ex. W1. However during the cross-examination he admitted having been served charge sheet ex.M1 and also admitted that enquiry proceedings ex.M2 are duly signed by him. He went on to admit that the enquiry was conducted against him in his presence in which he had fully participated and signed the proceedings. He also admitted that show cause notice was given to him and he had personally appeared before the disciplinary authority. He admitted that he has SB Account No. 41044 with the State Bank Branch Amritsar and that he has the cheque book of his account and further that he never examined his SB Account although he has been operating his account from time to time. He further stated that he had been applying for leave without bothering whether leave was sanctioned or not. In rebuttal the management examined MW1 B. K. Vig, enquiry officer, who tendered his affidavit Ex. M3. The persual of which shows that enquiry conducted by him against the workman was fair and all reasonable opportunity was given to him. The persual of enquiry proceedings ex.M2 also shows that the workman fully participated in the enquiry proceedings and signed the proceedings in token of his participation. Its persual further shows that reasonable opportunity of defence was also afforded to the workman and he was given show cause notice and an opportunity of personal hearing before awarding of punishment of dismissal from service. There is no defect what-so-ever in the domestic enquiry conducted against the workman. There is thus no legal infirmity in the enquiry held against the workman. The workman is therefore, not entitled to any relief. The reference thus stands answered against the workman. Appropriate govt. be informed suitably.

Chandigarh.

6-2-96

S. R. BANSAL, Presiding Officer.

तारीख: 19 फरवरी, 1996

का. आ. 699 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधकों के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट को प्रत्यागस्त करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन-12012/114/86/डो-II ए/आई.आर.बी. 2]
बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 699.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on the 15-2-1996.

[No. L-12012/114/86-D/IIA-IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

IN THE COURT OF SHRI S. R. BANSAL,
PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH.

Case I.D. No. 27 of 1987

Kishan Chand and Sushil Kumar .. Workman
Versus.

Management of Central Bank of India through
its Regional Manager, Regional Office, Ambala
Cantt. .. Management.

PRESENT :

For the Workman : Sh. Mangat Sharma.

For the Management : Sh. Yogesh Jain.

AWARD

The Central Government, Ministry of Labour, in exercise of the powers conferred under Section 10(1)(d) of the Industrial Disputes Act, 1947, (hereinafter referred to as the Act) vide their order No. L-12012/114/86-D/II(A) dated 27th February, 1987 referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the Management of Central Bank of India in terminating the

services of Sarvshri Kishan Chand and Sushil Kumar, Devi Dass when they had already qualified in the test and interview in mid year of 1978 and also not giving them performance in subsequent recruitment is justified? If not, to what relief are the concerned workmen entitled to?"

On receipt of the above-said reference from the Central Government notice was sent to the parties. On appearance, the workmen named in the reference of the Central Government, preferred their statements of claims. It was alleged in the said claim statements that in the year 1972, Central Bank of India had made an advertisement in the newspapers for recruitment of Subordinate Staff in the branches of the Bank. It is further alleged that they qualified the recruitment test as conducted by the Bank and also later on qualified in the oral interview conducted by the Respondent Management. The said workmen also further alleged that they had been included in the list of finally selected candidates for appointment in the service of the Bank. After their selection, it was further alleged that they were given temporary appointment as Peon-cum-Watchmen from the dates indicated as under and after the expiry of period as given below, they were not appointed on regular basis against the vacancies existing in the Bank although some persons who were not in the Select List had been appointed by the Bank.

1. Kishan Chand 18-6-73 to 17-7-73 and 27-7-73 to 10-8-73.
2. Sushil Kumar—30-5-73 to 29-6-73.

It was also alleged by the said workmen that they had made representations to the Bank for their appointment on regular basis, but to no avail. They also indicated that this Tribunal during the year 1984, when Shri I.P. Vasishth was the Presiding Officer (Now Hon'ble Judge of the Allahabad High Court had returned a similar reference made by the Central Government in favour of Shri Madan Mohan and Surinder Parkash and thus, on the same analogy they also be ordered to be appointed in the Bank on the basis of Select List prepared by the Bank in the year 1973. The Respondent Management filed Written Statement to the said claim statements as filed by the workmen and took the plea that the reference made by the Central Government is patently bad in the eyes of law. They further alleged that the Government has not taken a reasonable Exhibit M8 to M13. The workmen thereafter produced themselves in the witness box for cross-examination and likewise Shri R. K. Mankad, Chief Manager was also cross-examined by the representative of the workmen.

I have heard the representatives of the parties and have also gone through by the record care-
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tully. The representative of the workmen filed joint written arguments in the connected case of San Parkash and others, and in this case likewise the Management also submitted their joint written arguments through the Chief Manager (PRS). The representative of the workmen almost reiterated the pleas as taken by the workmen in their claim statement. It was also submitted that the appropriate Government has acted within the ambit of its powers to seek adjudication of the workmen's claims by referring the dispute to this Tribunal. It was further submitted that it was never brought to the notice of the workmen that the Select List after absorption of 23 candidates have been cancelled. It was further submitted that the administrative instructions issued by the Bank on 10-1-1977 for scrapping the old Select List by giving it a retrospective effect cannot be legally justified and such a circular as issued by the Bank cannot prevail over the Recruitment policy existing in the Bank in the year 1973. It was also submitted that the Select List finalised in the year 1973 could not be given the life for a period of three years, particularly when the Respondent Management made certain appointments from outside the Select List. The representative of the workmen in his written arguments also tried to take benefit of the Award given by my learned predecessor, now the Hon'ble Judge of the Allahabad High Court as made in December, 1984. It was also submitted in the written arguments that the Respondent Management has been following the policy of pick and choose thereby causing discrimination to the workmen.

The Respondent Bank in their written arguments, however, challenged the jurisdiction of the Central Govt. in making the reference for adjudication to this Tribunal. It was further submitted that the reference made by the Central Government is in contravention to the stand taken in the case of Shri Ramesh Chander Sharma. The point of delay and laches was also raised by the Management. It was further submitted that the workmen after their alleged termination had been working in various organisations and, thus, they have no right to be appointed in the Bank on the basis of the Select List of 1973. The Management also submitted that the old Select List was scrapped in 1977 after a period of three years in 1977 and the recruitment is presently being made through the Employment Exchange or the Service Recruitment Board. It was submitted that there is no force in the claims of one workmen and the reference, therefore, needs to be returned against them and in favour of the Respondent Management.

The perusal of the cross-examination of the workmen reveals that they have categorically admitted they have been employed on Daily Wage basis with various other organisations. It clearly means that they have been engaged suitably after their alleged termination in the year 1973 or later

on. The evidence led by the Respondent Management in the shape of affidavit Exhibit M.1. reveals that the Respondent Management Bank had taken a decision on 11-1-1977 to keep the panel Waiting List of 1973 alive for a period of three years only and it was decided that after the said period, the said List should be treated as cancelled. Evidently the Select List prepared in 1973 should be cancelled some time in 1976. Exhibit M.10 is the communication issued by the Bank in this regard which clearly means that the Select List of 1973 was no more in existence on 11th January, 1977. On receipt of earlier reference as made by the Central Government to this Tribunal in the case of Sarvashri Madan Mohan, and Surinder Parkash, as indicated above, my learned predecessor had earlier returned Award dated 1-12-1984 in favour of the workmen and had allowed their appointments without back wages. It is evident from these Awards that after this Tribunal gave Award on 1-12-1984, the other workmen also approached the Central Government after 1984 apparently for making their reference also to this Tribunal for adjudication and in this way the Central Government referred the dispute to this Tribunal in 1987. As stated earlier the Select List was no more in existence after 1976 and apparently the reference of the Central Government as made in 1987 is highly belated. There was absolutely no justification in making the reference to this Tribunal in the year 1987 i.e. after a period of 13 years from the date of expiry of the Select List. Although there is no statutory limitation under the Act for making a reference for adjudication by the Central Government yet the delay has to be reasonable and justifiable. There was evidently no reason for making the reference after a lapse of 13 years. The workmen as admitted by themselves have been engaged in alternative employments and evidently they cannot claim appointment in the Bank merely on the basis of their selection in the Select List. In my view the reference of the Central Government which is highly belated, needs to be returned against the workmen and in favour of the respondent management particularly, when the Select List was scrapped vide letter Exhibit M.10. The reference of the Central Government, thus, stands answered accordingly and the appropriate Government be suitably informed.

CHANDIGARH :

Dated : 26-12-1995.

S. R. BANSAL, Presiding Officer

नई दिल्ली, 19 फरवरी, 1996

का. आ. 700 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अन्वय में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक

प्रतिकरण, राष्ट्रीय के पंजाब को प्रकाशित करती है, का केन्द्रीय सरकार का 15-2-96 को प्राप्त हुआ था।

[संख्या एन-12012/217/91-आई. आर. बी. 2]

ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 700.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 15-2-1996.

[No. L-12012/217/91-JR(B-II)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SHRI S. R. BANSAL,
PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH.

Case No. ID 182/91

Santa Singh son of Gurdial Singh C/o Tek Chand Sharina, 25, Sant Nagar, Civil Lines, Ludhiana,
—Workman

Vs.

The management of Punjab National Bank, Zonal Office, Feroze Gandhi Market, Ludhiana.

—Respondent

For the workman : T. C. Sharma.

For the management : Bishan Singh.

AWARD

Central Government vide letter bearing No. L-12012/217/91-JR(B-II) dated 22nd October, 1991, has referred the following dispute to this Tribunal for adjudication :—

“Whether the claim of Shri Santa Singh that he was an employee of Punjab National Bank between 21-5-1984 to 16-2-1987 is correct. If so, whether termination of his services w.e.f. 17-2-1987 is justified? What relief, if any, is the workman entitled to?”

On receipt of the reference, notices were issued to the workman as well as to the management. Today the case was fixed for the filing of affidavit by the workman. The authorised representative of the workman has made the following statement:—

I have no instructions from the workman nor had he turned up despite my intimation duly sent to him. I have, therefore, no

further instructions from him regarding the conduct of the case."

In view of the statement of the representative of the workman, the representative of the management also closed its evidence.

In view of the above, in the absence of any evidence, I have no option but to answer the reference against the workman. Appropriate Govt. be informed in this regard.

Chandigarh.

Camp : Ludhiana

19-1-1996 S. R. BANSAL, Presiding Officer

नई दिल्ली, 19 फरवरी, 1996

कां. आं. 701.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार संतुलन बैंक आफ इंडिया के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल-12012/144/86/डी II ए/—आई.आर.बी. 2]

वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 701.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Industrial Industrial Tribunal, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on the 15-2-86.

[No. L-12012/144/86-D.IIA/IR(B.ID)]

V. K. SHARMA, Desk Officer

ANNEXURE

IN THE COURT OF SHRI S. R. BANSAL,
PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-
LABOUR COURT CHANDIGARH
I.D. No. 14/87.

Som Parkash, and Others . . . Workmen.

Versus

Management of Central Bank of India
through its Regional Manager, Regional
Office, Ambala Cantt. . . Management

PRESENT:

Shri Mangat Sharma, representative for the Workmen.

Shri Yogesh Jain, representative for the Management.

AWARD

The Central Government, Ministry of Labour in exercise of the powers conferred under Section 10(1)(d) of the Industrial Disputes Act, 1947, (hereinafter referred to as the Act), vide, their order No. L-12012/144/86-DII(A) dated 27-2-1987 referred the following dispute to this Tribunal for adjudication:

"Whether the action of the Management of Central Bank of India in terminating the services of Sarvshri Subhash Chander, Som Parkash Bakshi, Manohar Lal and Devi Dass when they had already qualified in the test and interview in mid year of 1973 and also not giving them performance in subsequent recruitment is justified? If not, to what relief the concerned workmen entitled to?"

On receipt of the above said reference from the Central Government, notice was sent to the parties. On appearance, the workmen named in the reference of the Central Government, preferred their statements of claims. It was alleged in the said claim statements that in the year 1972, Central Bank of India had made an advertisement in the newspapers for recruitment of Subordinate Staff in the branches of the Bank. It is further alleged that they qualified the recruitment test as conducted by the Bank and also later on qualified in oral interview conducted by the Respondent Management. The said workmen also further alleged that they had been included in the list of finally selected candidates for appointment in the service of the Bank. After their selection, it was further alleged that they were given temporary appointment as Peon-cum-Waterman from the dates indicated as under and after the expiry of period as given below they were not appointed on regular basis against the vacancies existing in the Bank, although some persons who were not in the Select List had been appointed by the Bank.

1. Som Prakash Bakshi 2-5-1973 to 2-7-1973.
2. Devi Dass 24-5-1973 to 31-7-1973
3. Subhash Chander 22-4-1973 to 26-4-1973.
4. Manohar Lal 25-11-1974 to 9-12-1974.

It was also alleged by the said workmen that they had made representations to the Bank for their appointment on regular basis, but to no avail. They also indicated that this Tribunal during the year 1984, when Shri I. P. Vasishth was the Presiding Officer Now Hon'ble Judge of Allahabad

High Court) had returned a similar reference made by the Central Government in favour of Shri Madan Mohan and Surinder Parkash and, thus, on the same analogy they also be ordered to be appointed in the Bank on the basis of Select List prepared by the Bank in the year 1973. The Respondent Management filed written statement to the said claim statements as filed by the workmen and took the plea that the reference made by the Central Government is patently bad in the eyes of law. They further alleged that the Government, has not taken a reasonable view of the matter, as the Respondent Bank is implementing the Government policies in the matter of recruitment of staff. It was also further alleged that there existed no relationship of Master and Servant between the workmen and the Management, as they had been employed for a fixed tenure of nearly two months after expiry of which period their services were considered to be no longer required. It was further alleged that the claim of the workmen mainly relates to their non-absorption in the service of the Bank and not on account of the alleged termination and evidently such a claim is not maintainable under the Act. The Respondent Management also took up the plea of delay and laches and indicated that the reference made by the Central Government after a period of nearly thirteen years cannot be given any consideration at this belated stage. The workmen filed their replication to the written statement and reiterated their assertions made in their claim statements.

With a view to enable the parties to prove their case, both the parties were afforded an opportunity to lead their respective evidence. While from the workmen side, the workmen preferred their affidavits Exhibits W1, W2, W3 and W4; on behalf of the Management, Shri R. K. Mankad, Chief Manager filed his affidavits Exhibits M.1 to M.6. The Respondent Management also placed on record letter Exhibit M.7, according to which it was informed by the Government of India that they had taken a decision not to refer such type of disputes to this Tribunal, because by the time Shri Ramesh Chander Sharma's turn for appointment from the panel came, the life of the panel would have already expired. In this letter, the Central Government also indicated that the action of the Management did not appear to be mala fide or justified. The Management also placed on record letters Exhibit M.8 to M.13. The workmen thereafter produced themselves in the witness box for cross-examination and likewise Shri R. K. Mankad, Chief Manager was also cross-examined by the representative of the workmen.

I have heard the representatives of the parties and have gone through the record carefully. The representative of the workmen filed written arguments and likewise the Management also sub-

mitted their written arguments though the Chief Manager (PRS). The representative of the workmen almost reiterated the pleas as taken by the workmen in their claim statements. It was also submitted that the appropriate Government has acted within the ambit of its powers to seek adjudication of the workmen's claims by referring the dispute to this Tribunal. It was further submitted that it was never brought to the notice of the workmen that the select List after absorption of 23 candidates have been cancelled. It was further submitted that the administrative instructions issued by the Bank on 10-1-1977 for scrapping the old Select List by giving it a retrospective effect cannot be legally justified and that such a circular as issued by the old Select List by giving it a retrospective effect cannot be legally justified and such a circular as issued by the Bank cannot prevail over the Recruitment policy existing in the Bank in the year 1973. It was also submitted that the Select List finalized in the year 1973 could not be given the life for a period of three years, particularly when the Respondent Management made certain appointment from outside the Select List. The representative of the workmen in his written arguments also tried to take benefit of the Award given by my Learned predecessor, now the Hon'ble Judge of the Allahabad High Court, as made in December, 1984. It was also submitted in the Written Arguments that the Respondent Management has been following the policy of pick and choose, thereby causing discrimination to the workmen.

The Respondent Bank in their Written arguments however, challenged the jurisdiction of the Central Govt. in making the reference for adjudication to this Tribunal. It was further submitted that the reference made by the Central Government is in contravention to the stand taken in the case of Shri Ramesh Chander Sharma. The point of delay and laches was also raised by the Management. It was further submitted that the workmen after their alleged termination had been working in various organisations and thus, they have no right to be appointed in the Bank on basis of the Select List of 1973. The Management also submitted that the old Select List was scrapped in 1977, after period of three years in 1977 and the recruitment is presently being made through the Employment Exchange or the Service Recruitment Board. It was submitted that there is no force in the claims of the workmen and the reference, therefore, needs to be returned against them and in favour of the Respondent-Management.

The perusal of the cross-examination of the workmen reveals that they have categorically admitted that they have been employed on Daily Wage basis with various other organisations. It clearly means that they have been engaged suitably after their alleged termination in the year 1973 or later on. The evidence led by the Respondent Management in the shape of affidavit

Exhibit M. 1 reveals that the Respondent-Management Bank had taken a decision on 11-1-1977 to keep the panel/waiting List of 1973 alive for period of three years only and it was decided that after the said period, the said List should be treated as cancel. Evidently, the Select List prepared in 1973 stood cancelled some time in 1976. Exhibit M10 is the communication issued by the Bank in the regard, which clearly means that the Select List of 1973, was no more in existence on 11-1-1977, receipt of earlier reference as made by the Central Government to this Tribunal in the cases of Sarvashri Madan Mohan and Surinder Prakash, as indicated above, my learned predecessor had earlier returned Award dated 1-12-1984 in favour of the workmen and had allowed their appointments without back wages. It is evidently clear from those Awards that after this Tribunal gave Award on 1-12-1984, the other workmen also approached the Central Government after 1984 apparently for making their references also to this Tribunal for adjudication and in this way the Central Government referred the dispute to this Tribunal in 1987. As stated earlier, the Select List was no more in existence after 1976 and apparently the reference of the Central Government as made in 1987 in highly belated. There was absolutely no justification in making the reference to this Tribunal in the year 1987 i.e. after a period of 13 years from the date of expiry of the Select List. Although there is no statutory limitation under the Act for making a reference for adjudication by the Central Government, yet the delay has to be reasonable and justifiable. There was evidently no reason for making the reference after a lapse of 13 years. The workmen as admitted by themselves have been engaged in alternative employments and evidently they cannot claim appointment in the Bank merely on the basis of their selection in the Select List. In my view, the reference of the Central Government which is highly belated, needs to be returned against the workmen and in favour of the respondent-Management, particularly, when the Select List was scrapped vide letter Exhibit M10. The reference of the Central Government, thus, stands, answered accordingly and the appropriate Government be suitably informed.

CHANDIGARH.

Dated : 26-12-1995.

S. R. BANSAL, Presiding Officer

नई दिल्ली, 19 फरवरी, 1996

का. आ. 702 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार सेन्ट्रल वूल स्टॉफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक

अधिकरण, चण्डीगढ़ के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन-12011/66/88/डी II ए/आई० आर. (बी. 2)]
वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 702.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on the 15-2-1996.

[No. L-12011/66/88-DIIA/IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI S. R. BANSAL, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

Case No. ID 32/89

Union, through Vice President, Central Bank
of India Employees Union, Jammu
Branch, Gandhi Nagar, Jammu.

Vs.

Regional Manager, Central Bank of India,
Regional Office, Amritsar.

.. Respondent.

For the workman.—Mangat Sharma.

For the management.—Yogesh Jain.

AWARD

The Central Government vide letter bearing No. L-12011/66/88-D.2(B) dated 15th February 1989, has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Central Govt. of India in denying woollen uniform to its Amritsar staff in Jammu Region once in two years is justified. If not to what relief are the workmen entitled ?”

On receipt of the reference notices were issued to the Union as well as the management. Today the case was fixed for replication and affidavit by the workman. The authorised representative of the workman has made the following statement :

“The workman is no longer aggrieved regarding denial of woollen uniform to the Award Staff of the Jammu Region. They

are no longer interested to pursue this reference. It may be decided accordingly. The application in this regard is Ex. W1."

The representative of the management has also made the following statement :—

"I have no objection."

In view of the statements of the representatives the parties, the reference is answered against the workman. Appropriate Government be informed suitably in this regard.

announced.

Chandigarh :

8-2-1996.

S. R. BANSAL, Presiding Officer

नई दिल्ली, 19 फरवरी, 1996

का. आ. 703 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार केनारा बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल—12012/372/91 —आई. आर. बी. 2]
बी. के. जर्मी, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 703.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 15-2-1996.

[No. L-12012/372/91-IR(B-ID)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI S. R. BANSAL, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. ID 21/92

Vijay Kumar Chitkara, C/o Arun Ghai-B-XI, Rari Mohalla, Jadhiana.

.. Workman.

Vs.

The management of Canara Bank, Circle Office, Sector-34-A, through its D.G.M., Chandigarh.

.. Respondent.

For the workman.—Workman in person.

For the management.—Kanwar Ashok Kumar.

AWARD

Central Government vide letter No. L-12012/372/91-IR(B-2) dated 18-3-1992, has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Canara Bank in imposing the punishment of stopping the increment with cumulative effect to Shri Vijay Kumar Chitkara, is legally just and valid? If not, then to which relief the workman is entitled to and from which date?"

On receipt of the reference notices were issued to the workman as well as to the management. Today the case was fixed for settlement. The workman appeared and made the following statement :

"The dispute has been amicably settled with the management. The management has agreed that instead of punishment of stoppage of two increments with cumulative effect, only the punishment of stoppage of three increments without cumulative effect shall be imposed on him by the management. The reference may therefore, be answered in terms of this compromise. I undertake not to claim any other relief what so ever from the management regarding this dispute."

Shri Kanwar Ashok Kumar authorised representative of the management also made the following statement :

"I have heard the statement of the workman. It is correct and the reference may be answered accordingly."

In view of the statements of the parties recorded, the reference stand answered in terms of the settlement arrived at between the parties. The parties shall be bound by their statement made in the court which shall form part of this Award. The appropriate Government be informed accordingly, Chandigarh.

18-1-1996

S. R. BANSAL, Presiding Officer

नई दिल्ली, 19 फरवरी, 1996

क्र. आ. 704 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार पंजाब एण्ड सिंध बैंक के प्रबन्धकों के संबद्ध निजीजों और उनके कर्मचारों के बीच, अन्वय में निम्नलिखित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन—12012/841/87/डी II-ए/आई. आर. बी. 2]

वा. के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 704.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Punjab & Sindh Bank and their workmen, which was received by the Central Government on the 15-2-1996.

[No. L-12012/841/87-DII-A/IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, PANDU NAGAR, DEOKI PALACE
ROAD, KANPUR

Industrial Dispute No. 132 of 1988

In the matter of dispute

BETWEEN

Rajesh Kumar,
S/o Ram Dayal,
37/158-A, Nafia Padi, P.S., New Agra.

AND

Regional Manager,
Punjab & Sindh Bank,
201, Sotiganj, Begum Bridge,
Meerut.

AWARDS

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-12012/841/87-D.II(A), dt. 19th October, 1988, has referred the following dispute for adjudication to this Tribunal—

“Whether the action of the management of Punjab & Sindh Bank in terminating the services of Sri Rajesh Kumar not justified. If not, to what relief the workman entitled?”

1. The concerned workman Rajesh Kumar, in his claim statement has alleged that he was employed as a Peon on 30-11-81 on temporary basis in the New Agra Branch of opposite party Punjab & Sindh Bank. He continuously worked there till 22-6-86, when his services were terminated without complying provisions of Section 25F of Industrial Disputes Act, 1947, hence, this termination is bad in law. It was further alleged that the opposite party had given a wrong certificate to him that he had worked from 30-11-81 to 21-6-83. He is not bound by it.

3. The opposite party in his written statement has alleged that the concerned workman has actually worked upto 21-6-83. He did not work upto 1988 at all, hence question of termination of his services on 23-6-86 does not arise. The assertion regarding the manner of issuance of certificate for 106 days is also denied. The validity of reference order has also been questioned by the management.

4. It may further be added that during the pendency of reference the management had also pleaded by moving a separate application that as there had been a settlement hence, reference has become infructuous. This matter was decided against the management.

5. In his rejoinder the concerned workman has reiterated the facts given in the claim statement and has further denied the factual allegations made in the written statement.

6. As regards the validity of reference it was urged that inasmuch as the date of termination has not been mentioned in it, the reference is bad. The records reveals that after this place was raised the concerned workman approached Central Government who in turn had informed that there was no need to mention the date in the reference order as the same is described by the concerned workman in the claim statement and that date should be taken to be the date of termination. In view of this classification the reference no longer remains vague. As such this contention is overruled.

7. The next point which needs consideration is as to whether the concerned workman had worked beyond 21-6-83 i.e. upto 23-8-86.

8. Ext. W-2 is on record which reveals that on 2-8-86 the concerned workman had asked for certificate about the number of days he had worked. The management had given certificate on that date showing that from 1981—83 he had worked for 106 days. In normal course this certificate would have sealed the fate of the concerned workman. However, he has tried to wriggle out from this certificate by stating that he was forced to move application and was further given assurance that he would be regularised. It was because of this that he had applied for being issued a certificate. This plea has been supported by his affidavit. Still I am not inclined to believe it. The

explanation appears to have been set up to avoid adverse effect of his certificate. Hence, the value of this certificate will remain intact and on the basis of this certificate along the case of the workman is belied. Still the concerned workman in his affidavit had sworn that he had worked upto 23-6-86. He has further sworn that he used to carry dak and other papers to other places. This certificate has been sought to be supported by the affidavits of Brijesh Kumar Gupta, S. P. Arya, Oberoy and Vidyasagar. They are public witnesses who have got shops near the branch in question. They have sworn that they used to see the concerned workman carrying papers of the bank even after 1983. I am not inclined to attach any value of their evidence as they are not supposed to know as to in what capacity the concerned workman was carrying these papers specially when from the evidence of Oberoy it is also established that the father of the concerned workman has got a shop near this branch. The concerned workman used to take tea pots inside the bank. It is quite possible that in this capacity the concerned workman would have become thick with some personnel of the bank. In any case, I am of the view that the evidence of the above witnesses is concocted. To lend support to his oral evidence the concerned workman has also filed the peon book of 1981 to 1986 in which the concerned workman has also signed showing that he used to carry dak. I have seen these peon books. None of the column requires the peon to put in signatures. Instead authorities are required to put the name of peon in one column and in the other column recipients is supposed to sign it. Once again I am of the opinion that because of his thick of any personnel of the department he would laid his hand from these peon books for signing and have put in signatures in it. Similar is the fate of clearing house summary which has also been summoned from the employer. Of course attendance register does not support the concerned workman at all. In rebuttal there is evidence of U.S. Sondhi an officer of the Bank who has denied that the concerned workman was ever employed in the bank after 1983. His evidence is based on record as such I accept it.

9. Hence, my finding is that the concerned workman did not work beyond 21-6-83 and in all he had worked for 106 days from 30-11-83 to 21-6-84.

10. Since the concerned workman's services were not terminated in 1986, question of its justification does not arise. Hence my award is in the negative and against the workman. Consequently, he is not entitled for any relief.

Dated : 6-2-1996.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 19 फरवरी, 1996

का. आ. 705 :—आद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन बैंक के प्रबन्धन के संबंध में नियो-जकी और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल—12012/508/88/डी II ए/—आई. आर. बी. 2]
बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 705.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Indian Bank and their workmen, which was received by the Central Government on the 15-2-96.

[No. L-12012/508/88 DIIA/IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 23 of 1989

In the matter of dispute between :

The President, Federation of
Indian Employees Union C/o Indian Bank
Ambala Cantt, 133001,

AND

The Zonal Manager,
Indian Bank 1-E Jhandewala Extension,
New Delhi-110055.

AWARD

1. The Central Government, Ministry of Labour vide its notification No. L-12012/508/88-D-2(A) dt. 16-2-89 has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Indian Bank in realising Rs. 3000/- from the salary of Shri Y. K. Arora is justified ? If not to what relief the workman entitled ?

2. The concerned workman Y. K. Arora was working as clerk cum shroff in the Meerut Branch of the employer bank known as Indian Bank. There is no dispute that on 12-11-82, the concerned workman was looking after despatch section at Meerut Branch. In that course he was entrusted with a FBP No. 19 dated 12-11-82 schedule containing 300 US dollars by M. S. Rawat an officer of the bank for despatch later on when this envelop reached foreign Cell Madras to whom it was sent under registered cover it was found that currencies 300 dollars were missing.

His explanation was called for in which he admitted the factum of that having received the envelop containing 300 dollars. He further explained that he had entered it in the despatch register. However later on this envelop was handed over to N. Shanker accountant of the branch for safe custody. From 23-11-82 to 7-12-82 he was on leave. This insured cover was sent on 24-11-82 when he was on leave. Hence he could not be held responsible in any manner. This Explanation was found unsatisfactory hence a charge-sheet on 17-6-85 was given to him and one R. K. Kedia Personal Officer of Zonal Officer was appointed as Enquiry Officer. In his presence the enquiry officer examined M. S. Rawat, Pradeep Kumar Gupta, and Ratan Kumar. The concerned workman did not give his evidence. On the basis of above evidence the E. O. had found that the Charge against the concerned workman was proved. On the basis of this report the disciplinary authority vide impugned order ordered for realising Rs. 3000/- from his salary. This gave rise to the present reference.

3. In his claim statement the concerned workman had challenged the fairness and propriety of enquiry report. Further on facts it was alleged that he was not in any way involved in the loss of dollars. On the other hand the management in their written statement have alleged that it was the concerned workman who was responsible for the loss of dollars. Enquiry was fairly and properly held.

4. On the basis of above two preliminary issues regarding fairness and propriety of finding of enquiry officer were framed. The tribunal vide order dt. 23-5-95 set aside the enquiry report and the management on their request were granted opportunity to prove the charges afresh before the Tribunal. Thereafter 31-7-95, 31-8-95, 31-10-95 and 15-12-95 were fixed for evidence of management to prove the misconduct on merits. Still the management failed to adduce evidence. Hence, they were debarred from giving evidence. The workman also did not adduce any evidence.

5. In view of above, I have no hesitation in holding that the so called misconduct of loss of 3000/- dollars on the part of the concerned workman is not established for want of proof. Accordingly he is exonerated from this charge. Consequently the punishment in question imposed upon the concerned workman is also not justified.

6. As a last resort the authorised representative of the management has drawn my attention towards the reference and had submitted that this reference is defective inasmuch as so far Rs. 3000/- has not been realised from the concerned workman. In my opinion, in the present reference the order of the management to realise Rs. 3000/- by way of punishment will also be included. Hence on this score the reference cannot be rendered to be defective.

7. Hence my award is that the action of the management is not justified and consequently it is set aside.

8. Reference is answered accordingly.

Dt. 30-12-96

B. K. SRIVASTAVA, Presiding Officer

450 GI/96-9

नई दिल्ली, 19 फरवरी, 1996

का. आ. 706 :—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्द्रल बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन—12012/67/89/डी II ए / आई.आर.बी. 2]
वी. के. शर्मा, डेस्क अधिकारी

New Delhi, 19th February, 1996

S.O. 706.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on the 15-2-96.

[No. L-12012/67/89/DILA/IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING
OFFICER CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT,
PANDU NAGAR KANPUR

Industrial Dispute No. 119 of 1989

In the matter of dispute between :
Deputy General Secretary
Central Bank Employees Congress
MIG 1241 Sector 7
Awast Viaks Colony
Rajajipuram Lucknow.

AND

Zonal Manager
Central Bank of India
23 Vidhansabha Marg
Lucknow.

AWARD :

1. Central Government, Ministry of Labour, vide its notification No. L-12012/67/89-D.2(A) dt. 15-5-89, has referred the following dispute for adjudication to this Tribunal —

Whether the action of the management of Central Bank of India in imposing the penalty of stoppage of one increment permanently on Sri G P Sharma, and not paying him full wages for the period of suspension is justified? If not, to what relief is the concerned workman entitled?

2. The concerned workman Govind Prasad Sharma was also posted in the Vivekanand Polyclinic Branch of opposite party Central Bank of India at Lucknow some times in March, 1985. He was served with the following chargesheet —

On 6-5-85, Mr. Govind Prasad Sharma, clerk who was absent from duty unauthorisedly came to branch premises at about 4.00 p.m. but he was under influence of liquor and started using abusive and filthy language against the Branch Manager and other officers of the bank in the main banking hall. After some time he entered the cabin of the Branch Manager and used abusive language against the branch manager and tried to snatch the cash keys from Branch Manager. Thereby forcing the branch manager to order the Bank's armed Guard to lock the main door of the branch but in the meantime Sri Sharma managed to slip out.

Domestic enquiry was held against him on the above charge. After completing his enquiry the enquiry officer submitted his report. Relying upon that report the concerned workman was served with the punishment of stoppage of one increment permanently. Feeling aggrieved by it the concerned workman has raised the present industrial dispute. In his claim statement the concerned workman had alleged that enquiry was not held properly and fairly against him. Further he had not committed the act of commission as alleged in the chargesheet. Instead it is at the instance of B K Sharma, the branch manager whom he had failed to oblige by supplying women.

3. In his written statement the opposite party bank has reiterated that the concerned workman had behaved in the manner as contained in the above mentioned chargesheet in respect of which prompt report was sent. Enquiry was fairly and properly held.

4. This tribunal had framed preliminary issue regarding propriety and fairness of domestic enquiry. After recording evidence of both the parties on 21-3-95, it was held that enquiry was not fairly and properly held, hence on the request of the management, the management was given opportunity to prove the charges on merits. After this the management once again examined B K Sharma who has stated all facts constituting the offence in examination.

5. In his cross examination he has stated that S P Sharma Accountant was not present in the office. When the concerned workman tried to snatch the keys no one was present. The concerned workman had escaped from the spot. Hence he could not be medically examined. In all the

concerned workman had remained in the office for about 5 to 7 minutes. In rebuttal the concerned workman has examined one of his colleagues, one K. K. Sinha who has stated that on the fateful day the concerned workman was seen early in the morning and not in the evening as alleged by the management. He has also denied that any incident took place as contained in the chargesheet. The concerned workman had on 27-7-75 made a request for postponing of case because of non-availability of their witness K N Cheubey. That application was rejected for want of sufficient ground. However, at no stage the concerned workman volunteered to examine himself in defence. In other words he has not entered in to the witness box. Thus it will be seen that in one sense the case against the concerned workman is almost un rebutted. The alleged attempt to snatch keys and hurling of abuses was done when no one was present. Hence it was all the more necessary to have entered into the witness box to rebutt the version of the branch manager. If the concerned workman has failed to enter into the witness box that shows that he had no courage to face cross examination or to tell a lie. Further as observed earlier the case against the concerned workman stands proved by the un rebutted statement of branch manager B K Sharma. Further it is well settled law that when the concerned workman does not enter into witness box to rebutt the case of the management, adverse inference is to be drawn against him. Still it was contended on behalf of the workman that if he was under intoxication he should have been medically examined. It has come in evidence that the concerned workman immediately after the occurrence had escaped from the spot. In these circumstances, question of his medical examination does not arise. It was also contended on behalf of the concerned workman that FIR was lodged against him and police has not taken any action against him. That shows that the version of the bank was wrong. I do not agree this contention. The norms of prosecution in court of law are different from those which are required in departmental enquiry. Further even if the concerned workman would have been acquitted or discharged from criminal court that would not have found any ground for disbelieving the version of the management in the domestic enquiry. Thus both the grounds showed repelled.

6. In the end mainly because the concerned workman has not entered into the witness box treating adverse inference against him, I come to the conclusion that the charge against the concerned workman is fully proved. As the punishment imposed to the concerned workman is less than termination, dismissal or discharge. It need not be considered if the quantum of punishment is adequate or not. As such he is not entitled for any relief.

Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer.

नई दिल्ली, 19 फरवरी, 1996

का. आ. 707.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार केनारा बैंक के प्रबन्धन के संबंध में नियोजकों और उनसे कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल—12012/35/92—आई आर. (बी. 2)]
वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 19th February, 1996

S.O. 707.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Canara Bank and their workmen, which was received by the Central Government on the 15-2-96.

[No. L-12012/35/92 IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING
OFFICER CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT
PANDU NAGAR DEOKI PALACE ROAD
KANPUR

Industrial Dispute No. 83 of 1992
In the matter of dispute between —

Sudhir Kumar Gupta
s/o Radha Krishna Gupta
Mohalla Mohan House No. 737
Chitragupta Colony Ganda Nala
Kasganj, District Etah. UP

AND

Divisional Manager
Canara Bank
Anushashan Karyawahi Cell
Circle Office
4 Sansad Marg, Lucknow.

AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-12012/35/92-IR-B-2, dt. 3-7-92, has referred to the following dispute for adjudication to this Tribunal —

“Whether the action of management of Canara Bank in stopping utilisation of services of Sh. Sudhir Kr. Gupta w.e.f. 19-3-91 is justified? Does it amount to termination of his services. What

relief, if any is the workman entitled to?”.

2. The concerned workman Sudhir Kumar Gupta, in his claim statement has alleged that he was appointed as daily rated peon in opposite party Canara Bank Kasganj Branch, in District Etah w.e.f. 2-7-85. He continuously worked at this post upto 19-3-91 when his services were terminated without complying the provisions of section 25F of Industrial Disputes Act, 1947. Hence, termination of his services is bad in law.

3. The opposite party has filed reply in which it has been alleged that the concerned workman was not employed on 2-7-85. Instead he was empanelled. He was directed to work as and when there was need. It is specifically denied that he has continuously worked from 2-7-85. Further it is alleged that he was involved in a case under section 420 IPC in connection with fraudulent transaction of withdrawal of Rs. 13600 from Savings Bank Account of one Vinod Prakash Agrawal. Since prosecution is pending against him, the management stopped entrusting work to him. However, his name was not removed from the panel list. Thus it is not a case of retrenchment at present.

4. In support of his version the management has filed Ext. M. 1 to M.9, whereas opposite party has filed Ext. W. 1 to W. 11. The documents of management relate to criminal prosecution which do not throw light on the real matter of controversy regarding termination. Similarly the papers filed by the workman are in the nature of representation in taking back in service. Sudhir Kumar Gupta, P.W.1 in his evidence has stated that he had worked from 2-7-85 to 19-3-91 continuously. It may be mentioned that this statement is belied from his own averments made in the claim statement in para (3). He had given the number of days for which he had worked. For example in 1985 he had worked for 18 days, in the year 1986 he had worked for 75 days, in the year 1987 he had worked for 77 days and in the year 1988 he had worked for 15 days. Thus from his own averments his case stands belied that he had worked continuously. Further it is not disputed that he is daily rated worker. In this background, I have no hesitation in believing the evidence of J K V Randhava M.W. 2 who has stated that the applicant was empanelled and he was provided work as and when necessity arose. His name has not been removed but only work is not being taken because of pendency of criminal case.

5. In view of this, my opinion in this that the name of the concerned workman has not been removed from the panel as such it does not amount to retrenchment. Consequently, there is no question of examining the justification of termination of any service.

6. Therefore, the concerned workman is not entitled for any relief at this stage.

7. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का. आ. 708.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल—30012/11/94—आई. आर. (विवाद)]
(कोल—1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 708.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil of Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-30012/11/94-IR(Misc.)(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, PANDU NAGAR, KANPUR
Industrial Dispute No. 139 of 1995
In the matter of Dispute

BETWEEN

Shri B. B. Pandey,
S/o Sh. Ram Dutt Pandey,
C/o Lieutenant Colonel, P. S. Padhav,
24-E, Rajpur Road,
Dehradun.

AND

The General Manager (P)
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour,
New Delhi, its Notification No. L-30012/11/94-

I.R.(C.I), dated 22-11-95, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of O.N.G.C. in terminating the services of Shri B.B. Pandey S/o Shri Ram Dutt Pandey contingent worker, w.e.f. 1-10-87 is legal and justified? If not, to what relief the workman is entitled.

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का. आ. 709.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल—20040/33/94—आई. आर. (कोल—1)]
ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 709.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-20040/33/94-IR(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 145 of 1995
In the matter of Dispute

BETWEEN

Shri Ghananand Pant,
S/o Sh. Mathura Dutt Pant,
24, Ambagh, Garhi Cantt.,
Tel Bhawan,
Dehradun.

AND

The General Manager (P)
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour,
New Delhi, vide its Notification No. L-20040|33|
94|IR(C.I) dated 22-11-95, has referred the fol-
lowing dispute for adjudication to this Tribunal—

Whether the action of the management of
O.N.G.C. in terminating the services of
Sh. Ghananand Pant, Contingent Worker
w.e.f. 1-2-1989 is legal and justified?
If not, to what relief is the workman
entitled?

2. Before claim statement could be filed a letter
purporting to be from the side of workman was
received showing that he does not press his claim
as he has been given employment. Notice was
issued to the concerned workman to verify if he
had given the application as stated above. He has
failed to turn up. This shows that the application
is genuine.

3. Hence acting upon this application it is
awarded that termination is not bad in law and he
is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 710.—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय
सरकार औद्योगिक एवं नैचुरल गैस कार्पोरेशन लि. के
प्रबंधन के संबंध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध
में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक
अधिकरण, कानपुर के पंचपट को प्रकाशित करना है, जो केन्द्रीय
सरकार को 15 फरवरी, 1996 को प्राप्त हुआ था।

[संख्या एल-30012|9|94-आई.आर. (कोल-1)]

ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 710.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the award
of the Central Government Industrial Tribunal,
Kanpur as shown in the Annexure in the Industrial
Dispute between the employers in relation to the
management of Oil and Natural Gas Corporation
Ltd. and their workmen, which was received by
the Central Government on 15-2-96.

[No. L-30012|9|94-IR(Coal-1)]

BRAJ MOHAN, Desk Officer
ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 144 of 1995
In the matter of Dispute

BETWEEN

Shri Dhan Singh,
S/o Shri Nepal Singh,
115, Jhanda Mohalla,
Dehradun.

AND

The General Manager (P)
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour,
New Delhi, vide its Notification No. L-30012|9|
94|(B.C.I.) dated 22-11-95, has referred the fol-
lowing dispute for adjudication to this Tribunal—

Whether the action of the management of
O.N.G.C. in terminating the services of
Shri Dhan Singh S/o Shri Nepal Singh,
Contingent Worker w.e.f. 27-2-86 is
legal and justified? If not, to what relief
the workman is entitled?

2. Before claim statement could be filed a letter
purporting to be from the side of workman was
received showing that he does not press his claim
as he has been given employment. Notice was
issued to the concerned workman to verify if he
had given the application as stated above. He has
failed to turn up. This shows that the application
is genuine.

3. Hence acting upon this application it is
awarded that termination is not bad in law and he
is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 711.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अय्यन एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकारण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15 फरवरी, 1996 को प्राप्त हुआ था।

[संख्या एल-20040/7/94-आई.आर. (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 711.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil & Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. 20040/7/94-IR (Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 132 of 1995

In the matter of Dispute

BETWEEN

Shri S. N. Nautiyal,
S/o Shri R. P. Nautiyal,
58, Bakral Walā,
Dehradun.

AND

The General Manager (P)
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan
Dehradun.

AWARD

1. The Central Government, Ministry, of Labour, New Delhi, vide its Notification No. L-20040/7/94.I.R.(C.I.) dated 21-11-95, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of O.N.G.C. in terminating the services of Sh. S. N. Nautiyal S/o Sh. R. P. Nautiyal w.e.f. 1-5-87 is legal and justified. If not, to what relief is the workman entitled?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 712.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अय्यन एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकारण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15 फरवरी, 1996 को प्राप्त हुआ था।

[संख्या एल-30012/10/94-आई.आर. (विविध) (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 712.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil of Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-30012/10/94-IR(Misc.)|Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Disputes No. 146 of 1995

In the matter of Dispute

BETWEEN

Shri Gopal Singh,
S/o Sh. Ram Prasad,
Srimor Tea State,
Kolagarh Road,
Dehradun.

AND

The General Manager (P)
Oil & Natural Gas Corporation Ltd.,
Tol Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-30012|10|94-IR(B|C.I) dated 22-11-95, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of O.N.G.C. in terminating the services of Shri Gopal Singh S/o Shri Ram Prasad, Contingent Worker w.e.f. 1-9-1988 is legal and justified? If not, what relief the workman is entitled to?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 713.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑयल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15 फरवरी, 1996 को प्राप्त हुआ था।

[संख्या एल-20040/1/94-आई.आर. (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.D. 713.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil of Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-20040|94-IR(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING
OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 134 of 1995

In the matter of Dispute

BETWEEN

Shri Keshwa Nand Jugran,
S/o Shri Vidya Dhar Jugran,
D-71, Nehru Colony,
Dehradun.

AND

The General Manager (P)
Oil & Natural Gas Corporation Ltd.,
Tol Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour New Delhi, vide its Notification No. L-20020|1|94-IR(C.I.) dated 22-11-95, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of O.N.G.C. in terminating the services of Sh. Keshwa Nand Jugran w.e.f. 21-5-87 is legal and justified? If not, to what relief is the workman entitled?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 714.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑयल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल-20040/8/94 आई.आर. (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 714.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil & Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-20040|8|94-IR(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 133 of 1995

In the matter of Dispute between :

Shri Anusuya Prasad,
S/o Shri Madhwa Nand Joshi,
New Basti Prempur Kaulagarh,
P.O. New Forest,
Dehradun.

AND

The General Manager (P)
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its Notification No. L-20040|8|94-I.R.(C.I) dated nil, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of O.N.G.C. in terminating the services of Shri Anusuya Prasad S/o Sh. Madhwa Nand Joshi w.a.f. 20-3-88 is legal and justified? If not, to what relief is the workman entitled?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

दि. दिवस, 20 फरवरी, 1996

का.आ. 715—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचना में, केन्द्रीय सरकार औद्योगिक एवं नैतुरल गैस कॉर्पोरेशन लि. के प्रबंधन के संबंध में निर्यातों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15 फरवरी, 1996 को प्राप्त हुआ था।

[संख्या एल-30012/12/94-आई आर. (खिविध)/(कोल-1)]
ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 715.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-30012|12|94-IR(Misc)|(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 143 of 1995

In the matter of dispute between :
Shri Deva Nand

S/o Shri Suresha Nand,
C/o Shri Laxmi Chand Kakaram
Moti Bazar,
Dehradun.

AND

The General Manager (P),
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-30012|12|94-I.R.(B/C, U) dated 22-11-95. has referred the following dispute for adjudication to this Tribunal —

Whether the action of the management of O.N.G.C. in terminating the services of Shri Deva Nand S/o Shri Suresha Nand, Contingent Worker w.e.f. 1-4-89 is legal and justified? If not, what relief the workman is entitled to?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he

has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी 1996

का.आ. 716.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अखिल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन-20040/9/94-आई.आर. (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 716.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-1996.

[No. L-20040/9/94-IR/(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 142 of 1995

In the matter of dispute between :

Shri Ram Singh Rawat
S/o Shri S. S. Rawat,
H-90 Survey Estate Hathni Barkala,
Dehradun.

AND

The General Manager (P),
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-20040/9/94-450 GI/96—10.

I.R. (C. I), dated 22-11-1995, has referred the following dispute for adjudication to this Tribunal —

Whether the action of the management of O.N.G.C. in terminating the services of Sh. Ram Singh Rawat S/o. Sh. S.S. Rawat w.e.f. 1-10-86 is legal and justified ? If not, to what relief is the workman entitled ?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 717.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार अखिल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एन-20040/32/94-आई.आर. (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 717.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-20040/32/94-IR/(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 141 of 1995

In the matter of dispute between :

Shri Gulab Singh
S/o, Late Shri Bishan Singh,
19-21 Bobhal Wala,
Dehradun.

AND

The General Manager (P),
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-20040/32/94-I.R. (C. I), dated 22-11-1995, has referred the following dispute for adjudication to this Tribunal —

Whether the action of the management of O.N.G.C. in terminating the services of Sh. Gulab Singh, Contingent Worker w.e.f. 14-6-87 is legal and justified? If not, to what relief is the workman entitled?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 718.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑयल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15 फरवरी, 1996 को प्राप्त हुआ था।

[संख्या एल-30012/8/94-आई.आर. (विविध)/(कोल-1)]
ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 718.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-30012/8/94-IR(Misc)/(Coal-I)]
BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 140 of 1995

In the matter of dispute between :

Shri Sher Singh Dhoni
S/o Sh. Kishan Singh Dhoni,
Bongla No. 5, Tel Bhawan,
Dehradun,

AND

The General Manager (P),
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-30012/8/94-I.R. (C. I), dated 22-11-1995, has referred the following dispute for adjudication to this Tribunal —

Whether the action of the management of O.N.G.C. in terminating the services of Shri Sher Singh Dhoni S/o Sh. Kishan Singh Dhoni, Contingent Worker w.e.f. 16-5-1989 is legal and justified? If not, what relief the workman is entitled to?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer.

नई दिल्ली, 20 फरवरी, 1996

का.आ. 719.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑयल एवं नेचुरल गैस कॉर्पोरेशन लि., के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-2-96 को प्राप्त हुआ था।

[संख्या एल-20040/31/94 आई.आर. (कोल-1)]
ब्राज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 719.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-20040/31/94-IR/(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 137 of 1995

In the matter of dispute between :

Shri Dinesh Chand Dhonal,

S/o Shri Ratan Lal Dhonal
Village Bharwala Post,
Bharwala, Dehradun.

AND

The General Manager (P),
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-20040/31/94-IR.(C. 1), dated 22-11-1995, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of O.N.G.C. in terminating the services of Sh. Dinesh Chand Dhobal Contingent Worker w.e.f. 1-12-86 is legal and justified? If not, to what relief is the workman entitled?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 फरवरी, 1996

का.आ. 720.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, आयल एवं नेचुरल गैस कॉर्पोरेशन लि. के प्रबन्धन के संबंध में निम्नलिखित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक

अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 15-2-96 को प्राप्त हुआ था।

[संख्या एन-30012/1/94-आई.आर. (विवाद)/(कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 20th February, 1996

S.O. 720.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil and Natural Gas Corporation Ltd. and their workmen, which was received by the Central Government on 15-2-96.

[No. L-30012/1/94-IR(Misc)|(Coal-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, KANPUR.

Industrial Dispute No. 138 of 1995

In the matter of dispute between :

Shri Ramesh Chandra Mishra
S/o Sh. S. B. Mishra,
44/36 Saiyad Mohalla,
Dehradun.

AND

The General Manager (P),
Oil & Natural Gas Corporation Ltd.,
Tel Bhawan,
Dehradun.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-30012/1/94-IR.(B/C. 1) dated 22-11-95, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of O.N.G.C. in terminating the services of Shri Ramesh Chand Mishra S/o Shri S.B. Mishra Contingent Worker, w.e.f. 26-11-87 is legal and justified? If not, to what relief the workman is entitled?

2. Before claim statement could be filed a letter purporting to be from the side of workman was received showing that he does not press his claim as he has been given employment. Notice was issued to the concerned workman to verify if he had given the application as stated above. He has failed to turn up. This shows that the application is genuine.

3. Hence acting upon this application it is awarded that termination is not bad in law and he is not entitled for any relief in this reference.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 22 फरवरी, 1996

का.आ. 721:—केन्द्रीय सरकार का मतान्वित हो गया है कि लोकहित में ऐसा घोषित है कि कर्नेली नोट प्रेस जिसे औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची में प्रविष्टि 25 पर निर्दिष्ट किया गया है उक्त अधिनियम के प्रयोजनों के लिए लोक उपयोगी सेवा घोषित किया जाना चाहिए।

अतः अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखण्ड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार कर्नेली नोट प्रेस, नासिक को उक्त अधिनियम के प्रयोजनों के लिए तत्काल प्रभाव से छः माह की अवधि के लिए लोक उपयोगी सेवा घोषित करता है।

[सं.एम. 11017/3/91-आई.आर. (नं. विधि)]

एस. वेणु गोपालन, अवर सचिव

New Delhi, the 22nd February, 1996

S.O. 721.—Whereas the Central Government is satisfied that the public interest requires that the Currency Note Press, Nasik, which is covered by entry 25 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared as a public utility service for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of the Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the Currency Note Press, Nasik to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/3/91-IR(PL)]

S. VENUGOPALAN, Under Secy.

नई दिल्ली, 26 फरवरी, 1996

का. आ. 722:—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आंध्रा बैंक ————— के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, औद्योगिक अधिकरण, वारंगल के पंचसट को प्रकाशित करती है, जो केन्द्रीय सरकार की 13 फरवरी 1996 को प्राप्त हुआ था।

[संख्या एन-12012/12/94 आई आर बी-2]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th February, 1996

S.O. 722.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal Warangal as shown in the Annexure in the industrial dispute between the employers in relation to the management of Andhra

Bank and their workmen, which was received by the Central Government on the 13-2-1996.

[No. L-12012/12/94-IR(B-II)]

BRAJ MOHAN, Desk Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, AT WARANGAL.
PRESENT :

Sri M. Narasimha Reddy, B.Sc., I.L.B.,
Judge

Dated this the 20th day of January, 1996
Industrial Dispute Central No. 2 of 1994

BETWEEN

V. Iru Komuraiah S/o Ilaiah,
Sweeper in Andhra Bank,
Hanamkonda Branch,
R/o Sayampet Village,
Dist. Warangal.

.. Petitioner

AND

Andhra Bank,
Represented by
It's Asstt. General Manager.
Zonal Office,

Hanamkonda, Warangal.

.. Respondent

This Industrial Dispute coming on before for final hearing on 20-1-96, upon perusing the reference, claim statement, rejoinder, and all other material papers on record and in view of the settlement and withdrawal of memo filed by both parties the matter having been stood over for consideration till this date the court passed the following:—

AWARD

This is a reference referred by the Government of India, Ministry of Labour, New Delhi through Order No. L-12012/94IR(B-II), dt. 28-4-94 to this court U[Sec. 10(i)(d) Sub-Sec. (2A) of the I.D. Act, 1947 (14 of 1947) to adjudicate the dispute :—

“Whether the action of the management of Andhra Bank, Warangal in terminating the services of Sri V. Iru Komuraiah, Sub-Staff with effect from 8-1-1992 and not considering him for empanellment for future employment in terms of the Approach paper circulated by the Ministry of Finance in 1990 is justified? If not, what relief is the said workman entitled to?”

2. I.D. is closed in view of the settlement and withdrawal of I.D.C. 2/94 orders dt. 20-1-96 are passed in the memo filed by both parties.

Written and pronounced by me in the open court and given under my hand and the seal of this court on this the 20th day of January, 1996.

M. NARASIMHA REDDY, Judge
Appendix of Evidence Witness Examined—NIL.

नई दिल्ली, 26 फरवरी, 1996

का. आ. 723.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आंध्रा बैंक के प्रबंधन के संबंध में निर्याजका और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिनियम, 2 दम्बई के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार की 13-2-96 को प्राप्त हुआ था।

[संख्या एल-12012/295/93आईआर (बी-2)]
ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th February, 1996

S.O. 723.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-2 Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Andhra Bank and their workmen, which was received by the Central Government on the 13-2-1996.

[No. L-12012/295/93-IR(B-II)]
BRAJ MOHAN, Desk Officer
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI
PRESENT :

Shri S. B. Panse, Presiding Officer

Reference No. CGIT-2/27 of 1994

Employers in relation to the Management of
Andhra Bank

AND

Their Workmen

APPEARANCE :

For the Workmen—Shri A. V. Sathya, Advocate

For the Employer—Shri R. S. Pai, Advocate
Mumbai, dated 1st February, 1996

AWARD—PART-I

The Government of India, Ministry of Labour by its Order No. L-12012/295/93-IR(B-II), dated 8th March, 1994 had referred to the following Industrial Dispute for adjudication :—

“Whether the action of the management of Andhra Bank, Bombay in imposing the punishment of stoppage of one increment on Mr .B. S. Wadkar, Clerk with cumulative effect for the year 1993 vide their order dated November, 1992 is legal and justified ? If not, what relief, is the workman entitled to ?”

2. The General Secretary of Andhra Bank Employees Union, Mumbai filed a Statement of Claim for their worker by name B. S. Wadkar at Exhibit-3'. Wadkar was working at Ahmednagar branch in the year 1986. A departmental inquiry was initiated against him for alleged mis-behaviour. He was given a chargesheet dated 9-6-87 contending that his acts or mis-behaviour constituted misconduct under paragraph 19.5(j), 19.7(a), 19.5 (c) of the Bipartite settlement.

3. The Union contended that the domestic inquiry initiated against the workman was belated. It is averred that the alleged misbehaviour was in the month of October 1986 and the chargesheet was given on 9-6-87. It is further contended that from time to time their inquiry officer was changed and ultimately the order awarding a punishment was passed by the disciplinary authority, which was subsequently changed to other punishments. It is averred that the management was biased and vindictive while holding the departmental inquiry against the worker.

4. The Union pleaded that procedure which is required to be followed in a domestic inquiry was not followed. It is submitted that the inquiry officer hastily gave the orders. It is averred that no opportunity was given to the workers representative or the worker for cross examination of the management witness. It is asserted that the objections raised by the worker which were of a preliminary nature were not considered by the inquiry officer contending that he is not competent to decide on and did not wait for worker to prefer an appeal against it. It is averred that the documents which were called by the worker by an application dated 3-5-90 were not given. For all these reasons it is submitted that the domestic inquiry which was held against the workman was against the principles of natural justice.

5. The Union contended that even if it is said that the charges which were levelled against the workman were proved the punishment which is granted is disproportionate to the charges proved. It is submitted that due to the said punishment the worker is put to tremendous monetary loss. For all these reasons it is submitted that the punishment which is awarded to the worker be set aside and he may be given all monetary benefits which were withheld due to the said order.

6. The management resisted the claim by the written statement Ex-5'. It is averred that the procedure required by Bipartite settlement in a domestic inquiry was followed. It is denied that the management was biased against the worker while holding the domestic inquiry. It is submitted that every opportunity was given to the worker to defend his case. It is denied that the

punishment which is awarded to the worker is disproportionate to the charges proved. It is submitted that there is no substance in the case of the worker. Hence the reference may be answered in favour of the management.

7. The issues that fall for my consideration and my findings there on are as follows :

Issues	Findings
1. Whether the domestic inquiry which was held against the workman was against the principles of Natural Justice ?	No

REASONS

8. Issue No. 1 is heard as preliminary issue. B. S. Wadkar lead evidence at Ex-'7'. Ambross Joseph Moraes the Inquiry Officer lead evidence on behalf of the management at Ex. '10'. The worker had produced photo copies of the inquiry proceedings alongwith Ex. '6'. The management had produced the original inquiry proceeding and the appointment letter of the inquiry officer dtd. 6-9-89 alongwith Ex. '9'. The worker had also produced two documents alongwith Ex. '12'. But they appear to be of no importance. It relates to the suspension order of the worker and again the revocation of the suspension order.

9. In the year 1986, Wadkar, the worker was working as a clerk at Ahmednagar branch of Andhra Bank. On June 9, 1987 he was given articles of charges and was called upon to give his say in the matter. It was alleged that as his acts which he committed on 4-10-86, 13-10-86, 14-10-86, and on 17-10-86 constituted acts of misbehaviour towards superiors and customers, his unauthorised absence without prior permission, negligence in discharging the work entrusted to him and behaving disobediently towards superiors constituted misconduct contemplated under paragraphs 19.5(j), 19.7(a) & 19.5(e) of the Bipartite settlement. The worker gave reply to the said charges.

10. It is not in dispute that on 10-11-87 one Mr. Chatre was appointed as the inquiry officer. He was then replaced by one Rajendra by a letter dtd. 18-11-87. One Mr. Joss came in his place on 29-12-88 and at last Mr. Moraes (Ex. 10) came in his place on 6-9-89. He conducted the inquiry against the worker. By these appointments it cannot be said that any injustice was caused to the worker or there is any procedural defect in these appointments.

11. It is not in dispute that in the inquiry which was conducted by Moraes the workman and his representative took part. Infact on 1-2-89 the representative sought for an adjournment of the inquiry and again on adjourned date i.e. on 5-1-90 he asked for adjournment. On that date again the representative Shankar

Joshi asked for adjournment and the matter was adjourned to 20-3-90. On that day on the request of the worker the matter was adjourned and posted to 3-5-90.

12. Wadkar affirmed that on 3-5-90 he asked the enquiry officer to furnish the documents. A letter is at Exhibit-'B' alongwith the Statement of Claim. After perusal of this letter it reveals that the information which the workman sought was within his knowledge except which is at serial Nos. 1, 5 & 6. Even if the documents which are at serial Nos. 1, 5 & 6 are concerned they had no concern with the inquiry. It can be further said that the Inquiry Officer had not relied upon those documents. Under such circumstances it has to be said that the documents called for by this letter were irrelevant. Its non-production or non-submitting its copies to the worker had not caused any prejudice. In other words the domestic inquiry cannot be said to be against the principles of Natural Justice for non-supply of these documents.

13. Wadkar affirmed that on 7-5-91 (Ex.—B) Statement of Claim, he raised objections regarding the domestic inquiry as preliminary objections. The first was that the presenting officer was of a higher post than that of the inquiry officer. This is denied by Moraes. Even assuming for the sake of argument if the position is admitted the bipartite settlement do not prohibit such appointments. So far as the other objections are concerned the inquiry officer over ruled the same. Moraes (Ex. 10) affirmed that he informed the worker regarding the same. Therefore after the worker and the representatives walked out of the inquiry. Wadkar the worker affirmed that he was informed by the inquiry officer that he is not competent to decide the objections and therefore they walked out of the inquiry. There is no reason to disbelieve the word of the inquiry officer that he overruled the objections and decided to proceed with the inquiry. It is pertinent to note that thereafter again the enquiry officer wrote a letter dtd. 22-4-91 and asked the worker to remain present for the inquiry on 2-5-91. The worker did receive that letter.

14. It is not in dispute that on 2-5-91 one Mr. Chatre was examined before the inquiry officer by the managements representative. The worker and his representative were absent. Naturally there was no cross examination. Mr. Sathye, the Learned Advocate for the worker tried to argue that after the Examination-in-Chief of Chatre there is an endorsement, Examination-in-Chief concluded. But there is no endorsement of no cross-examination. No doubt there is no such endorsement. But that does not mean that an opportunity was not given to the worker. He and his representative were absent. A strict procedure which is followed in the courts cannot be said to be applicable in a domestic inquiry. If the representative would have been

there then there would have been an endorsement of a cross examination and the cross examination would have been there. As it is not there I do not find any irregularity in the inquiry. It can be further stated that it cannot be said that an opportunity was not given to the worker for cross examination.

15. The inquiry officer thereafter sent the proceedings dated 3-5-90 to the worker and asked him to furnish his written submissions over the same. It can be further seen that the written submissions made by the management representative dated 13-6-91 were also sent to the workman by the inquiry officer alongwith his letter dated 25-6-91. After receipt of the same the worker had sent his written argument on 20-6-91. These facts clearly goes to show that the worker was given full opportunity by the inquiry officer.

16. After completion of the inquiry he sent his reports to the disciplinary authority on 3-12-91. A copy of his report was also sent to the worker by the disciplinary authority. Alongwith that report the proposed punishment was also informed to him and he was asked to give his say. Wadkar affirmed that he did not remember whether he had given a say to it or not. But from his testimony it appears that an opportunity was given to him and thereafter the disciplinary authority awarded the punishment. He preferred an appeal against the order of punishment but it was rejected.

17. The disciplinary authority initially awarded punishment of stoppage of one increment with cumulative effect for the year 1992 (Ex-A) Statement of Claim. He was directed to prefer an appeal against that order within 45 days. It can be further seen that the disciplinary authority by its letter dated 12-11-92 made partial modification in the order and informed that the annual increments of the year 1993 shall be stopped with a cumula-

tive effect instead of stoppage of annual increment for the year 1992 with cumulative effect. It had a reference of the disciplinary authorities earlier letter dated 26-2-92, the year is changed in the subsequent order. By doing these things I do not find that there is any procedural defect in the matter.

18. Mr. Sathye the Learned Advocate for the worker placed reliance on Northern Railway Co-operative Credit Society and Industrial Tribunal Jaipur & Anr. 1967 II I.L.J. 46. That was a case wherein reasonable opportunity was not given and copies of relevant documents were not given to the worker at the time of domestic inquiry. Here in this case nothing had happened like that. The ratio in the said authority has no application. Mr. Sathye also place reliance on the State of Punjab Vs. Dewan Chunilal AIR 1970 S.C. 2086. That was a case wherein the officers available were not examined to enable for cross-examination. Again that authority had no application. Here the workman remained absent. It is not that he was not given an opportunity to cross examine. It can be further seen that he had not made any representation to the inquiry officer to call their witness for cross examination.

19. Mr. Sathve the Learned Advocate for the worker wanted to argue on other issues at the same time. But as the issues in respect of the domestic inquiry has to be treated as a preliminary issue, he reserved his argument for other issues. For all these reasons I record my findings on issue No. 1 accordingly :

ORDER

1. The domestic inquiry which was held against the workman was as per the Principles of Natural Justice.

S. B. PANSE, Presiding Officer

